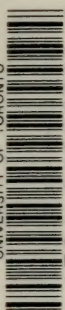


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VOLUME IV







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From the Original Portrait in the Westmoreland Club, Richmond, Va.



# A HISTORY OF LOUISIANA

BY

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IN FOUR VOLUMES



VOLUME IV

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PART II

1861-1903



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# CONTENTS

## CHAPTER I. THE BEGINNING OF THE CIVIL WAR—THE FALL OF NEW ORLEANS. PAGE

Secession sentiment in Louisiana—Celebration of Washington's Birthday—Response to the call for troops—Governor Moore's address to the people—Farragut's capture of New Orleans—Mayor Monroe and Pierre Soulé—The United States flag pulled down from the Mint—Lowering of the State flag over the City Hall by Farragut's officers—Landing of General Butler's troops—Butler's General Order No. 28—Arrest of Mayor Monroe and Pierre Soulé—Execution of Mumford—Butler's rule in New Orleans . . . . . 3

## CHAPTER II. WAR TIMES—1862 TO 1864.

Baton Rouge and Natchez captured by the Federal fleet—Battle of Baton Rouge—Engagements at Bayou des Allemands and at Labadieville—Campaign in the Tèche country in 1863—Siege and surrender of Port Hudson—Establishment of courts of justice—Two governors—Organization of free labor—Energy and activity of Governor Allen—Battles of Mansfield and Pleasant Hill—Escape of the Federal fleet—The Constitution of 1864—The Freedmen's Board of Education—Governor Hahn's message . . . . . 25

## CHAPTER III. END OF THE WAR—BEGINNING OF RECON- STRUCTION.

Protest of Governor Allen against the destruction of cotton—Mission to France of General de Polignac and Colonel Miltenberger—Surrender of the Trans-Mississippi Department—Farewell address of Governor Allen—Disagreement between Congress and President Johnson—Governor Wells and Lieutenant-Governor Voorhies—The New Orleans riot in 1866—Lieutenant-Governor Voorhies's letter to President Johnson—The Reconstruction acts of 1867 . . . . . 58

## CHAPTER IV. SIX YEARS OF RECONSTRUCTION—1867 TO 1873.

Protest against the Reconstruction acts—Views of Southern governors—Removals from office by military commanders—The Constitution of 1868—Governor Henry C. Warmoth—Secret societies—The Fifteenth Amendment—Extravagance of the Legislature—Dissensions among the politicians—Election of 1872—The Lynch Returning-Board—Durell's midnight order—A dual government—President Grant recognizes the Republican government . . . . .

95

## CHAPTER V. THE WHITE LEAGUE AND THE FOURTEENTH OF SEPTEMBER.

Resistance to Kellogg's government—It is supported by Federal troops—Organization of the White League—Arms seized by Kellogg in New Orleans—Meeting at the Clay statue—Abdication of Kellogg demanded—The citizen-soldiers, led by General Frederick Nash Ogden, defeat the metropolitan police—Installation of Acting-Governor Penn—Address of Robert H. Marr—Joy of the people—Kellogg reëstablished by President Grant . . . . .

133

## CHAPTER VI. END OF THE RECONSTRUCTION PERIOD.

The election of 1874—The Wells Returning-Board—Meeting of the Legislature, January 4, 1875—Ejection of members of the House by United States soldiers—Extraordinary telegrams of General Sheridan—Grant's defense of the military interference—The "Wheeler Compromise"—Reorganization of the White League—Visiting statesmen in New Orleans—A dual government—On January 9, 1877, citizen-soldiers take possession of the courts, police stations, and arsenal—the Nicholls government established—President Hayes withdraws the United States troops—Packard surrenders the State House . . . . .

163

## CHAPTER VII. THE REVIVAL OF LOUISIANA.

Quiet and contentment—The epidemic of 1878—The Constitution of 1879—The University of Louisiana—The Eads jetties—Governor Louis A. Wiltz—Governor Samuel D. McEnery—The flood of 1882—The levee system—The mayors

# CONTENTS

vii  
PAGE

of New Orleans from 1872 to 1882—Establishment of the Tulane University of Louisiana—The Cotton Centennial Exposition—The North, Central, and South American Exposition—Governor Nicholls reëlected—The Young Men's Democratic Association in New Orleans—Progress of the public-school system—Death of Jefferson Davis in New Orleans . . . . .	194
--	-----

## CHAPTER VIII. PROGRESS AND PROSPERITY.

The anti-lottery campaign—The Mafia in New Orleans—Governor Murphy J. Foster—Celebration of the four-hundredth anniversary of the discovery of America—Death of General G. T. Beauregard—The archdiocese of New Orleans—Dissatisfaction of the sugar-planters with the tariff bill—The Citizens' League in New Orleans—The city charter of 1896—The Constitution of 1898—The war with Spain—Monument erected to John McDonogh by school children—Tax for sewerage and drainage in New Orleans . . .	220
---	-----

## CHAPTER IX. THE DAWN OF THE TWENTIETH CENTURY.

Governor William Wright Heard—Population of Louisiana and of the principal cities and towns in 1890 and 1900—Intense cold—Reception to President McKinley in 1901—Louisiana Day at the Pan-American Exposition—Memorial exercises in honor of President McKinley—The great naval dock—Visit of Ambassador Jules Cambon—Governor Heard's message in 1902—Celebration of the centennial of the treaty of cession of Louisiana to the United States—French literature of Louisiana—The Athénée Louisianais—"L'Abeille de la Nouvelle-Orléans"—English literature of Louisiana—Distinguished Louisianians—Institutions of learning and names of State officials in 1903—The progress of Louisiana in one hundred years . . . . .	244
--	-----





## LIST OF ILLUSTRATIONS

	FACING PAGE
<b>JEFFERSON DAVIS</b> , 1808–1889, President of the Confederate States of America. Was Secretary of War in the Pierce Cabinet, 1853–1857. <i>Hand-finished Water-color Facsimile</i> , from the original portrait by William Garl Brown in the Westmoreland Club, Richmond, Va. This is considered by Mrs. Jefferson Davis to be the best portrait of her late husband . . . . .	<i>Frontispiece</i>
<b>DAVID GLASGOW FARRAGUT</b> , 1801–1870, who as flag-officer, commanded the United States fleet at the capture of New Orleans, 1862, and was afterward admiral of the United States navy. From a photograph belonging to his son, Mr. Loyall Farragut, New York . . . . .	18
<b>MAJOR-GENERAL BENJAMIN FRANKLIN BUTLER</b> , 1818–1893, who was in command of the Department of the Gulf and of the city of New Orleans from May 1 to December 16, 1862. From a lithograph executed after a photograph from life .	38
<b>BRIGADIER-GENERAL ALFRED MOUTON</b> , C. S. A., 1829–1864 (upper left), son of Governor Alexandre Mouton; was killed at the Battle of Mansfield, 1864. From a photograph in Confederate Memorial Hall, New Orleans, La. . . . .	62
<b>PAUL OCTAVE HÉBERT</b> , 1818–1880 (upper right), Governor of Louisiana, 1853–1856; brigadier-general in the army of the Confederacy. From a painting in the State Library, New Orleans, La. . . . .	62
<b>LIEUTENANT-GENERAL RICHARD TAYLOR</b> , 1828–1879 (centre), son of President Zachary Taylor. He was in com-	

- mand of the District of Louisiana, and afterward of the Department of Alabama, Mississippi, and East Louisiana, under the Confederacy. From a painting by A. Molinary in the Boston Club, New Orleans, La. . . . . 62
- GENERAL EDMUND KIRBY SMITH, 1824-1893 (lower left), who commanded the Trans-Mississippi Department, including the States of Missouri, Arkansas, and Texas, and the Indian Territory, under the Confederacy. After a photograph from life belonging to Mrs. E. Kirby Smith, Sewanee, Tenn. . . . . 62
- FRANCIS TILLOU NICHOLLS, born in 1834 (lower right), brigadier-general in the army of the Confederacy, and Governor of Louisiana, 1877-1880 and 1888-1892; at present chief justice of the Supreme Court of Louisiana. After a photograph from life . . . . . 62
- JUDAH PHILIP BENJAMIN, 1811-1884 (upper left), United States Senator, 1859-1861, attorney-general, then Secretary of War, and finally Secretary of State in the Confederate government. From a painting in the Cabildo, New Orleans, La. 84
- JOHN SLIDELL, 1793-1871 (upper right), United States Senator, 1861; commissioner to England from the Confederate government. From a photograph belonging to his son, Mr. Alfred Slidell, New Orleans, La. . . . . 84
- PIERRE SOULÉ, 1802-1870 (centre), a distinguished orator and statesman. United States Minister to Spain, 1853. From a painting in the Cabildo, New Orleans, La. . . . . 84
- LIEUTENANT-COLONEL CHARLES DIDIER DREUX, C. S. A., 1832-1861 (lower left), who commanded a battalion of Louisiana volunteers, and was killed near Newport News, Va., 1861. He was the first officer from Louisiana killed during the war. From a painting in Confederate Memorial Hall, New Orleans, La. . . . . 84



# LIST OF ILLUSTRATIONS

xi

FACING PAGE

- LEONIDAS POLK, 1806-1864 (lower right), Bishop of Louisiana, 1841. He was appointed a major-general by President Davis, and afterward promoted to the rank of lieutenant-general. Was killed on Pine Mountain, near Marietta, Ga., 1864. After a photograph from life belonging to his daughter, Mrs. Joseph Jones, New Orleans, La. . . . 84
- GENERAL GUSTAVE TOUTANT BEAUREGARD, 1818-1893, celebrated strategist and engineer, who opened fire on Fort Sumter, April 12, 1861, and thus started the Civil War. He began his military career in the Mexican War, and rose to the rank of general in the service of the Confederacy. From a painting in the Beauregard School, New Orleans, La. 102
- THOMAS OVERTON MOORE, 1805-1876 (upper left), Governor of "The Independent State of Louisiana," 1860-1864. From a portrait in crayon at the Louisiana State University, Baton Rouge, La. . . . 120
- HENRY WATKINS ALLEN, 1820-1866 (upper right), Confederate Governor of Louisiana, 1864-1865. He was appointed brigadier-general by President Davis. From a portrait in crayon at the Louisiana State University, Baton Rouge, La. 120
- LOUIS ALFRED WILTZ, 1843-1881 (centre), Governor of Louisiana, 1880-1881. From a portrait in crayon at the Louisiana State University, Baton Rouge, La. . . . 120
- WILLIAM PITT KELLOGG, born in 1831 (lower left), Governor of Louisiana, 1873-1877. From a portrait in crayon at the Louisiana State University, Baton Rouge, La. . . 120
- HENRY CLAY WARMOTH, born in 1842 (lower right), Governor of Louisiana, 1868-1873. From a portrait in crayon at the Louisiana State University, Baton Rouge, La. . . . 120
- MAJOR-GENERAL NATHANIEL PRENTISS BANKS, 1816-1894 (upper left), who superseded General Butler in command of the Department of the Gulf, including Texas, 1862. From a photograph in the Brady Collection, Washington, D. C. . 146

MAJOR-GENERAL FREDERICK NASH OGDEN, 1837-1886 (upper right), provisional general of the Louisiana State Militia, 1874. From a painting by Paul Poincy belonging to Mrs. Ogden, New Orleans, La. . . . .	146
LIEUTENANT-GENERAL JAMES LONGSTREET, C. S. A., born in 1821 (centre), who commanded the Metropolitan Police on September 14, 1874. From a photograph in the Brady Collection, Washington, D. C. . . . .	146
SAMUEL DOUGLAS McENERY, born in 1837 (lower left), Governor of Louisiana, 1881-1888; associate justice of the State Supreme Court; now United States Senator. From a portrait in crayon at the Louisiana State University, Baton Rouge, La. . . . .	146
MURPHY JAMES FOSTER, born in 1849 (lower right), Governor of Louisiana, 1892-1900; now United States Senator. After a photograph from life . . . . .	146
VIEW OF THE PLACE D'ARMES IN NEW ORLEANS, showing the Cabildo, the Cathedral, and the Presbytery. From a lithograph, executed in 1836, belonging to Dr. Joseph Bauer, New Orleans, La. . . . .	166
MAP OF THE TERRITORY INCLUDED IN THE LOUISIANA PURCHASE, specially redrawn for this work from the map issued by the Department of the Interior, United States Land Office, 1899; and showing the route followed by the Lewis and Clark Expedition from St. Louis to the Pacific coast and return, 1803-1806 . . . . .	190
CHARLES ÉTIENNE ARTHUR GAYARRÉ, 1805-1895 (upper left), novelist and historian. Author of a History of Louisiana. Was twice Secretary of State of Louisiana, and president of the Louisiana Historical Society, 1860-1888. After a photograph from life . . . . .	212
FRANÇOIS XAVIER MARTIN, 1762-1846 (upper right), Judge of the Territory of Mississippi, 1809; of the Superior	

# LIST OF ILLUSTRATIONS

xiii

FACING PAGE

Court of the Territory of Orleans, 1810; attorney-general of Louisiana, 1812; judge of the Supreme Court of Louisiana, 1815. Author of a History of Louisiana. President of the Louisiana Historical Society, 1846. From a painting in the Cabildo, New Orleans, La. . . . . 212

JOHN JAMES AUDUBON, 1780-1851 (centre), the great naturalist. From the engraving in "Life and Journals of John J. Audubon," G. P. Putnam's Sons, New York and London . . . 212

PAUL TULANE, 1801-1887 (lower left), founder of the Tulane University of Louisiana. From a painting in the Tulane University of Louisiana, New Orleans, La. . . . . 212

ALFRED MERCIER, 1816-1894 (lower right), poet and novelist, who founded the Athénée Louisianais in January, 1876, a society for the preservation of the French language in Louisiana. After a photograph from life . . . . . 212

THE CABILDO IN 1901. President McKinley making a speech from the balcony of the Cabildo, May 2, 1901, with Mayor Capdevielle of New Orleans standing beside him. From a photograph, copyright, 1901, by John N. Teunisson . . . 246

WILLIAM WRIGHT HEARD, born in 1853, present Governor of Louisiana. After a photograph from life . . . . . 260





**A HISTORY OF  
LOUISIANA**

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**VOLUME IV**





## CHAPTER I

### THE BEGINNING OF THE CIVIL WAR—THE FALL OF NEW ORLEANS

Secession sentiment in Louisiana—Celebration of Washington's Birthday—Response to the call for troops—Governor Moore's address to the people—Farragut's capture of New Orleans—Mayor Monroe and Pierre Soulé—The United States flag pulled down from the Mint—Lowering of the State flag over the City Hall by Farragut's officers—Landing of General Butler's troops—Butler's General Order No. 28—Arrest of Mayor Monroe and Pierre Soulé—Execution of Mumford—Butler's rule in New Orleans.



THE Ordinance of Secession was adopted by the Louisiana Convention by a vote of one hundred and thirteen ayes to seventeen nays. But the voice of the people had not been so decisive in favor of secession as, at the election for delegates to the

Convention, the vote had been: for secession, 20,448; for coöperation or against secession, 17,296.<sup>1</sup> In November, 1860, the vote at the Presidential election had been as follows: Lincoln, none; Douglas, 7625; Breckinridge, 22,681; Bell, 20,204. In New Orleans the majority in favor of secession had been only about four hundred; and in the parish of St. James, where ex-Governor Roman resided, the vote had been seventy-three for secession and five hundred and nine for coöperation. Governor

Roman himself had signed the Ordinance of Secession, although he had voted against it in the Convention. He considered it his duty to side with his native State, which was withdrawing from the Union; and many patriotic men in Louisiana, whatever had been their opinions previously, supported secession zealously after the adoption of the Ordinance on January 26, 1861. There is no doubt that the sentiment in favor of secession grew rapidly in the State in 1861, and this was shown on the occasion of the public inauguration of the National flag of Louisiana on February 12, 1861.<sup>2</sup> Two brigades of artillery were drawn up in Lafayette Square, and in the presence of the members of the Convention and of an immense concourse of people the flag was hoisted, at eleven o'clock, on the roof of the City Hall. At that moment "the city bells rang out a peal, the Battalion of Washington Artillery fired a royal salute of twenty-one guns, and the entire troops presented arms, and then the populace cheered and re-cheered."

On February 18, 1861, President Jefferson Davis delivered his inaugural address at Montgomery. In this he explained the position taken by the seceding States, denying that their act was revolutionary, and declaring that they had "merely asserted the right which the Declaration of Independence, July 4, 1776, defined to be 'inalienable.' Of the time and occasion for its assertion and exercise, they, as sovereigns, were the final judges, each for itself."

Although Louisiana had withdrawn from the Union, she remained attached to the history of the United States,

and on February 22, 1861, Washington's Birthday was celebrated in New Orleans with great military splendor. Two brigades of troops paraded, at Lafayette Square and at Jackson Square. There were Major Walton's Battalion of Washington Artillery, Major J. N. Augustin's Orleans Guards, Captain Charles D. Dreux's Orleans Cadets, Captain Gladden's Crescent Rifles, Major Todd's Louisiana Guards, and other companies, which were to distinguish themselves on many a hard-fought battle-field. After the parade the troops went to the Race-course, where twenty thousand persons were assembled. A splendid standard was presented by Judah P. Benjamin, in the name of the ladies of New Orleans, to the Washington Artillery. Messrs. Benjamin and Slidell had just resigned their seats in the United States Senate, and were both to occupy important offices under the Confederate Government—the former as Attorney-General, then as Secretary of War, and finally as Secretary of State; the latter, as commissioner to England.

On March 4, 1861, Abraham Lincoln was inaugurated President, and in his address he asserted his belief in the perpetuity of the Union. Three Confederate commissioners—John Forsyth, of Alabama; Martin J. Crawford, of Georgia; and André Bienvenu Roman, of Louisiana—had been sent to Washington to try to negotiate a peaceable division of the country. After some delay, on April 8 they were refused recognition by President Lincoln. On April 12 General G. T. Beauregard opened fire on Fort Sumter, and the terrible Civil War was begun.

Louisiana had responded with alacrity to the Confed-

erate Government's demand for troops. The parishes sent many men, and made liberal appropriations for their support.<sup>3</sup> The first troops that left the State were four companies of zouaves, commanded by Major Waldemar Hyllested and Captain Alfred Coppens. They were sent to Pensacola on March 29. On April 11 the First Louisiana regulars, Colonel A. H. Gladden, and the Orleans Cadets, Captain Charles D. Dreux, followed, and on April 19 and 20 the Caddo Grays, the Crescent Rifles, and the Louisiana Guards. On the adoption of the Ordinance of Secession, Major Braxton Bragg, who at that time was a planter in Louisiana, had been appointed major-general of the State troops.

On April 21 Governor Moore called for five thousand infantry,<sup>4</sup> in addition to the three thousand already called for on the requisition of the President of the Confederate States. On that occasion the governor addressed the people of Louisiana as follows:

The Government of Washington, maddened by defeat and the successful maintenance by our patriotic people of their rights and liberties against its mercenaries in the harbor of Charleston, and the determination of the Southern people forever to sever themselves from the Northern government, has now thrown off the mask, and, sustained by the people of the non-slaveholding States, is actively engaged in levying war by land and sea, to subvert your liberties, to destroy your rights, and to shed your blood on your own soil, if you have the manhood to resist. Rise, then, people of Louisiana, in your might in defense of your dearest rights, and drive back this insolent barbaric foe. Like your brave ancestry, resolve to conquer or perish in the effort, and the flag



of usurpation will never fly over Southern soil. Rally, then, to the proclamation which I now make on the requisition of the Confederate Government.

On April 29 Governor Moore inspected the troops in New Orleans, five thousand men under arms.<sup>5</sup> On May 21 four batteries of the Washington Artillery Battalion left for Virginia. This organization was represented in the Army of Northern Virginia by four batteries, and in the Army of Tennessee by the Fifth Battery.

On June 25 Bishop Leonidas Polk, of Louisiana, was commissioned major-general in the army of the Confederate States. On July 5 Colonel Charles D. Dreux was killed in a skirmish near Newport News, Virginia. He commanded the Battalion of Louisiana Volunteers, consisting of the Louisiana Guards, Orleans Cadets, Crescent Rifles, Chasseurs-à-Pied, Shreveport Grays, and Grivot Guards. Colonel Dreux was only twenty-eight years old and had given promise of being a great orator. As he was the first officer from Louisiana killed, his funeral in New Orleans, on July 14, was a magnificent demonstration, attended by an immense concourse. The funeral orations were delivered by Randell Hunt and Adolphe Olivier.

The military enthusiasm continued to grow in Louisiana, and in 1861 her total military force, in and out of the State, was 60,726. There was also a considerable naval force, and on October 12, 1861, Commodore George H. Hollins attacked the Federal fleet at Southwest Pass with a ram, fire-rafts, and steamers, and inflicted con-



siderable damage. The people of New Orleans were greatly elated by Hollins's success, and felt confident that the Federal fleet would never be able to ascend the river. A few months later, Farragut accomplished what then seemed to be an impossible feat.

On November 26, 1861, Governor Moore sent an important message to the Legislature.<sup>6</sup> He said he had requested the banks to suspend specie payment, and he gave an account of the number of soldiers furnished by the State to the Confederacy. He referred to the death of Colonel Dreux, and expressed his pride at the gallant conduct of the Louisianians who were fighting for "the sacred cause of independence." Whether the war was brought about by slavery or not, there is no doubt that, after the hostilities had begun, the men in the Southern States felt that they were fighting for independence. Governor Moore expressed that sentiment very forcibly, and said that "with the protection of the God of our fathers and the bravery of our soldiers, we shall succeed in assuring the blessings of liberty to us and our posterity."

In the beginning of 1862 many soldiers from Louisiana were fighting out of the State for the Confederacy, but still more were wanted, and in February General Beauregard, from Jackson, Tennessee, made pressing calls on his fellow-Louisianians to aid him in defending the Mississippi valley. Governor Moore made a stirring appeal to the people of Louisiana, and Dr. Samuel Choppin, surgeon-general on Beauregard's staff and special messenger, addressed the soldiers of New Or-

leans. Dr. Choppin quoted a few fervid lines from the "Marseillaise" and ended his address with the words: "Creoles of Louisiana, on to the work!" The Louisianians responded promptly to General Beauregard's call, and on March 7, 1862, General Mansfield Lovell, commander of the Department of Louisiana, who had succeeded General David E. Twiggs, wrote to General Beauregard as follows:

I received your notes of February 24 and March 3. Have ordered the additional flags you wish. I have pushed forward to your support every available man. Seven companies of the Crescent Regiment left here yesterday; the remainder will leave here Saturday with the Washington Artillery (fifth company). I shall also send the Twentieth Regiment and the Orleans Artillery, with a battalion from that corps. Gibson's and Vaiden's artillery has already been sent. You will have from me, in all, ten infantry regiments and four batteries of artillery. . . . I shall have to hold up now and look out a little for New Orleans.<sup>7</sup>

At Shiloh, on April 6 and 7, where General Albert Sidney Johnston was killed and General Beauregard succeeded him, the soldiers from Louisiana—including the Eighteenth Regiment, the Orleans Guards, the Washington Artillery, and other organizations—behaved heroically. On all the battle-fields of the great war the men from Louisiana did their full duty, and it would require many a page to relate their gallant deeds.

The battle of Shiloh took place on April 6 and 7, 1862. A few days later, only a year after Beauregard fired on Fort Sumter, New Orleans was captured by a Federal

fleet, and the metropolis of the South was lost to the Confederacy.

In November, 1861, Commander David D. Porter submitted to the Secretary of the Navy and to President Lincoln a plan for the capture of New Orleans.<sup>8</sup> The plan was elaborated by Porter and by General McClellan and was approved by the President. Twenty thousand troops were to be furnished by the army, and they were to be commanded by General Benjamin F. Butler. The command of the expedition was given to Captain David Glasgow Farragut, who was born in Tennessee and was the adopted son of Captain David Porter of the United States navy. A fleet of twenty-one mortar-schooners, under the command of Porter, was attached to Farragut's squadron.

The Confederates had been making great efforts to organize a fleet of rams and ironclads, and Fort Jackson, on the west bank of the Mississippi, and Fort St. Philip, on the east bank, had been greatly strengthened. Across the channel, near Fort Jackson, a raft of logs had been placed, extending to a line of hulks anchored and connected by chains. Each of the forts had a garrison of about seven hundred men, and the Confederates had one hundred and twenty-six guns in their works, and forty guns in their fleet, which consisted of twelve vessels, including the ram *Manassas* and the ironclad *Louisiana*, whose machinery was not completed, and which, during the engagement with the Federal fleet, had to be secured to the river bank. The guns on the Union side numbered three hundred and two, including those on the mortar-flotilla.

The Federal fleet, with great labor, crossed the bar, and on April 16 Commander Porter began bombarding the forts from the mortar-flotilla. The Confederates replied with energy during the five days of the bombardment. Farragut then decided on the bold plan of running the gantlet of the forts, and on April 24, at two o'clock in the morning, he began his movement. His fleet was in three divisions, the first under command of Captain Theodorus Bailey, the second under Flag-Officer Farragut himself, and the third under Captain Henry H. Bell. The cable in the river had been separated on April 20, and the obstructions presented little difficulty. Captain Bailey's division succeeded in passing the forts, and met with gallant resistance from the Confederate fleet. Especially heroic was the conduct of Captain Beverley Kennon, commander of the Confederate vessel *Governor Moore*. He attacked the *Varuna* and fired at her through the bow of his own vessel. The ram *Stonewall Jackson* struck the *Varuna*, and she sank. The *Governor Moore* was afterward surrounded by five United States ships, and, having been disabled, was burned by her commander at the river bank, her colors still flying. Captain Kennon was taken prisoner and later was kept in solitary confinement on board the *Colorado*, and in close confinement on board the *Rhode Island*, and at Fort Warren for three months, on account of certain false reports. At New Orleans General Butler came on board the *Cayuga* and, pointing with his thumb over his shoulder, said: "Where did you catch him?" speaking of Captain Kennon. The latter replied loud enough for Butler to hear: "Where you were not on hand, or your army either." <sup>9</sup>



Commander John K. Mitchell commanded the force afloat of the Confederates, and he has been accused of incompetency. He assumed command only four days before the fight, and did as well as was possible under the circumstances. The commander of the coast defenses was General Johnson K. Duncan, and Colonel Edward Higgins commanded Forts Jackson and St. Philip. They both had fought valiantly, as well as the men in the forts and on the Confederate vessels. The Confederates met in Farragut an able and gallant adversary. His flag-ship, the *Hartford*, was attacked by a fire-raft and came near being destroyed; she was struck thirty-two times while passing the forts, and yet Farragut advanced boldly toward New Orleans. The *Brooklyn*, of the second division, was struck by the ram *Manassas*, and Farragut ordered the *Mississippi* to run the ram down. The *Manassas* escaped at that time, but was afterward run ashore, abandoned by her crew, and destroyed by the *Mississippi*. The third division of Farragut's fleet received little harm from the forts, and Porter's mortar-steamers drove the men from the water-batteries. Forts Jackson and St. Philip surrendered to Commander Porter on April 28, and the ironclad *Louisiana* was blown up. Meanwhile, Farragut was on his way; he silenced easily the Chalmette batteries on both sides of the river, and reached New Orleans on April 25. He had accomplished one of the most wonderful feats that history mentions, passing two strong forts and immediately afterward destroying a hostile fleet. The British had not been able, in 1815, to pass a single fort on the Mississippi. By his



capture of New Orleans Farragut acquired a renown that has placed him on a level with the greatest naval commanders. He appeared as a conqueror before the city where he had passed some years of his childhood.

On Thursday, April 24, General Mansfield Lovell, commander of the Confederate army in New Orleans, which consisted of twenty-eight hundred men, gave orders to burn all the cotton and tobacco in the city. News of Farragut's success had reached New Orleans, and the work of destruction had to be done before the arrival of the Federal fleet. Fifteen thousand bales of cotton on the levee, all the boats in the port, the dry-docks, the boat-yards, coal, wood—everything that could be used by an enemy was burned. Hogsheads of sugar and barrels of molasses were broken and destroyed. The burning boats were carried by the current down the river, and when Farragut reached the city, on April 25, the scene that presented itself to his view was grand and weird. The river was ablaze with burning boats, huge columns of smoke arose from the shore, rain was falling in torrents, and an immense crowd was gathered on the quay, uttering maledictions on the conqueror. The squadron anchored in front of the city at one o'clock P.M., April 25, 1862, and immediately Farragut sent Captain Theodorus Bailey to demand of the mayor the surrender of New Orleans. Captain Bailey was accompanied by Lieutenant George H. Perkins, and it was a perilous journey that they made from the fleet to the City Hall, surrounded by a multitude of infuriated men. But they arrived in safety at their destination, and the captain told the mayor

he had been sent to demand the surrender of the city, the lowering of the State flag on the City Hall, and the elevation of the flag of the United States over the Post-office, the Custom-house, and the Mint. That very morning Marion A. Baker, Mayor Monroe's private secretary, by the latter's order, had hoisted the flag of Louisiana over the City Hall.

The chief adviser of the mayor was Pierre Soulé, the distinguished orator and statesman. Guided by him, Mayor Monroe, to the demand for the surrender of New Orleans, replied that he had no authority to do so; that there was a military commander in the city; and that he refused absolutely to lower the State flag on the City Hall. General Lovell was sent for. He said that he would not surrender the city; that he had withdrawn his troops to avoid the shelling of New Orleans, and that he would retire and leave the city authorities to act as they thought proper. Mayor Monroe then said he would submit the matter to the Council, and the two Federal officers withdrew. General Lovell furnished them with an escort, and he and Mr. Soulé addressed the multitude, advising moderation. Captain Bailey and Lieutenant Perkins were driven in a carriage to their ship.

Mayor Monroe addressed to the Council a communication that ended as follows: "We yield to physical force alone, and maintain our allegiance to the government of the Confederate States. Beyond this, a due respect for our dignity, our rights, and the flag of our country does not, I think, permit us to go." The Council had met at six-thirty P.M. on April 25, but adjourned to the next

morning at ten without taking action on the mayor's communication. On April 26 they approved the sentiments expressed in his message and requested him to act in the spirit he had manifested. A letter was written by Mr. Soulé as a reply to Farragut's demands, and was signed by the mayor. We reproduce it here:

MAYORALTY OF NEW ORLEANS,

CITY HALL, April 25, 1862.

*To Flag-Officer D. G. Farragut.*

SIR: In pursuance with the resolution which he thought proper to take out of regard for the lives of the women and children who still crowd this great metropolis, General Lovell has evacuated it with his troops and restored back to me the administration of its government and the custody of its honor. I have, in concert with the City Fathers, considered the demand you made on me yesterday, of an unconditional surrender of the city, coupled with the requisition to hoist the flag of the United States on the public edifices, and to haul down that which floats to the breeze from the dome of this hall, and it becomes my duty to transmit to you the answer which the universal sentiment of my constituency, no less than the promptings of my own heart, dictates to me on this so sad and solemn occasion. The city is without means of defense, and utterly destitute of the force and material which might enable it to resist the overpowering armament displayed in sight of it. I am no military man, and possess no authority beyond that of executing the municipal laws of the city of New Orleans. It would be presumptuous in me to attempt to lead an army, and I know still less how to surrender an undefended place, held, as this is, at the mercy of your gunners and at the mouths of your mortars. To surrender such a place were an idle and unmeaning ceremony. The city is yours by the power of brute force, and not by any choice or consent of its inhabitants. It is for you to determine what shall be the fate that awaits her.

As to the hoisting of any flag that is not the flag of our own adoption and allegiance, let me say to you, sir, that the man lives not in our midst whose hand and heart would not be palsied at the mere thought of such an act; nor could I find in my entire constituency so wretched and desperate a renegade as would dare to profane with his hand the sacred emblem of our aspirations.

Sir, you have manifested sentiments which would become one engaged in a better cause than that to which you have devoted your sword. I doubt not but that they sprang from a noble though deluded nature, and I know how to appreciate the emotions which inspired them. You will have a gallant people to administer during your occupancy of this city; a people sensitive of all that can in the least affect its dignity and self-respect. Pray, sir, do not allow them to be insulted by the interference of such that have rendered themselves odious and contemptible by their dastardly desertion of the mighty struggle in which we are engaged, nor of such as might remind them too plainly that they are the conquered and you the conquerors. Peace and order may be preserved without a resort to measures which would not fail to wound their susceptibilities and fire their passions. The obligations which I shall assume in their name shall be religiously complied with. You may trust their honor, though you ought not to count on their submission to unmerited wrong.

In conclusion, I beg you to understand that the people of New Orleans, while unable, at this moment, to prevent you from occupying this city, do not transfer their allegiance from the government of their choice to one which they have deliberately repudiated, and that they yield simply the obedience which the conqueror is enabled to extort from the conquered.

Since writing the above, which is an answer to your verbal communication of yesterday, I have received a written communication, to which I will answer before two o'clock, if possible to prepare an answer for that time.

Respectfully,

JOHN T. MONROE, *Mayor.*



Before this letter had been sent to Farragut, two of the latter's officers, Lieutenant Albert Kautz and Midshipman John H. Read, arrived at the City Hall, on Saturday, April 26, with a written and peremptory demand for the surrender of the city, the hoisting of the United States flag over the Mint, the Custom-house, and the City Hall by noon, and the removal from public buildings of all emblems of sovereignty other than that of the United States. Lieutenant Kautz has related the incidents of his journey from the fleet to the City Hall, and has told of the great danger to which he and his companion were exposed while passing through a despairing and angry multitude. He says the imprecations and threats of the "mob," as he calls the people, were such, while he was at the City Hall, that Mr. Soulé suggested that the officers leave the building by the rear exit. Marion A. Baker, the mayor's secretary, had been sent to the fleet to convey to Farragut the mayor's letter. He returned before Kautz and Read had left the City Hall, and he took them to the rear exit, while Mr. Soulé went to address the people in order to give time for the officers to get back to the fleet. Lieutenant Kautz says: "Few people ever knew what an important service Mr. Soulé thus rendered to New Orleans."

On April 26, early in the morning, a United States flag was raised over the Mint by a boat's crew from the fleet, without orders from Farragut. The latter, however, assumed responsibility for the raising of the flag, which did not long float to the breeze in New Orleans. As the city had not yet surrendered, great indignation was



felt, and Harper, Burgess, Canton, and W. B. Mumford, all young men, resolved to pull down the flag. This was done on April 26, and Mumford dragged the flag through the streets, where it was torn to shreds. It appears that Harper was the first to reach the flag, but he, Canton, and Burgess escaped, and Mumford was made to pay with his life the consequences of his bold deed.

A European brigade had been organized, under the command of General Paul Juge,  *fils*, to preserve order in the city. Count Méjan, French consul, encouraged General Juge in his good work, and the City Council authorized him to continue to preserve order and to ask the aid of all good citizens. Meanwhile matters were coming to a crisis. On Sunday, April 27, there was no communication from Farragut, but on Monday, April 28, he sent a message threatening the bombardment of the city. "The election is with you," he said, "but it becomes my duty to notify you to remove the women and children from the city within forty-eight hours, if I have rightly understood your determination." Captain De Clouet, commanding a French man-of-war, wrote to Farragut to protest against the short delay for the evacuation of the city by the women and children, and to demand sixty days instead of forty-eight hours. He said energetically: "If it is your resolution to bombard the city, do it; but I wish to state that you will have to account for the barbarous act to the power which I represent." Mayor Monroe, in a reply drawn by Mr. Soulé, again refused to lower the State flag, and said: "This satisfaction you cannot obtain at our hands. We will stand your bombardment,





unarmed and undefended as we are." On April 29 the mayor's secretary and Mr. Soulé delivered the mayor's answer to Farragut. On the same day news was received of the surrender of Forts Jackson and St. Philip, and the commander of the Federal fleet determined to have the Louisiana State flag over the City Hall lowered by his own men.

Captain Bell and Lieutenant Kautz were intrusted with the task of lowering the State flag from the City Hall. They had a detachment of sailors, a battalion of marines, and two boat howitzers. They went to the Custom-house and hoisted over it the United States flag, and went afterward to Lafayette Square. Their troops were formed in line, and their guns were placed in the middle of the street facing the City Hall. Captain Bell and Lieutenant Kautz informed the mayor of their purpose, and asked to be shown the way to the roof. Mr. Monroe referred them to the janitor, and, going out, "placed himself," says Mr. Baker, "immediately in front of the howitzer pointing down St. Charles Street. Then, folding his arms, he fixed his eyes upon the gunner, who stood lanyard in hand ready for action." He remained in that perilous position until the State flag had been hauled down and the Federal officers had reappeared. There was no disorder, and Captain Bell and Lieutenant Kautz returned to the fleet. New Orleans was at length officially captured, and on May 1 Captain Farragut turned over the command of the city to General Benjamin F. Butler.<sup>10</sup>

On May 1, 1862, General Butler began the landing of

his troops, and he marched with them into New Orleans, amidst the imprecations of the people. He quartered part of his soldiers in the Custom-house, where could be seen the plantation, church, and school bells that had been sent by the people along the Mississippi, at the request of General Beauregard, to be cast into cannon. These bells were afterward sold at auction in the North. General Butler had prepared a proclamation which he sent to the office of the "True Delta" to be published as a handbill. The editor refused to print it, and thereupon his press was seized and the general's document was set up by printers from different regiments and published. The publication of the "True Delta" was suspended for several days, and during the whole time of General Butler's command in New Orleans there was no freedom of the press.

On May 2 General Butler established his headquarters at the St. Charles Hotel, and took up his residence there with his wife. He had a conference with the mayor and members of the City Council, at which Pierre Soulé was present, and it was decided that the municipal authorities should retain their power in everything unconnected with military affairs. The Free Market, which had been generously established in the city before its capture, was continued by General Butler, with provisions intended for the Confederates and seized by him, and later with money raised by assessing the persons who had subscribed to aid the Confederacy, and the cotton-brokers who had advised the planters not to send their produce to New Orleans in order to induce foreign intervention in behalf of the Confederate Government.



On May 15, 1862, General Butler issued General Order No. 28, as follows:

As the officers and soldiers of the United States have been subject to repeated insults from the women (calling themselves ladies) of New Orleans, in return for the most scrupulous non-interference and courtesy on our part, it is ordered that hereafter when any female shall, by word, gesture, or movement, insult or show contempt for any officer or soldier of the United States, she shall be regarded and held liable to be treated as a woman of the town plying her avocation.

This infamous order excited the greatest indignation in the whole South and in Europe, and was severely condemned by many in the North and West. Mayor Monroe protested against it, and was deprived of his official functions. General Butler ordered his committal to Fort Jackson, together with his secretary, Mr. Duncan, Judge Kennedy, and the chief of police. The mayor was afterward sent to Fort Pickens. His arrest brought about also that of Pierre Soulé, who had been his adviser in his dealings with Farragut and Butler. Mr. Soulé was imprisoned in Fort Warren, in Boston Harbor, but was released on giving his word that he would not return to New Orleans or commit or advise any act hostile to the United States.

After suppressing the municipal government, General Butler put in command of the city General George F. Shepley, of Maine, and thenceforth New Orleans was ruled rigorously under martial law. The mayors of New Orleans from 1803 to 1862 were: Etienne de Boré, Pierre Petit, *pro tem.*, James Pitot, John Watkins, Joseph

Mather, Nicholas Girod, Augustin Macarty, J. Roffignac, Denis Prieur, Charles G nois, William Fr ret, Edgar Mont gut, A. D. Crossman, John L. Lewis, Charles M. Waterman, H. M. Summers (for two days), Gerard Stith, John T. Monroe. The latter was to be re lected mayor in 1866, to be again ousted from his office by a military commander.

On June 7 William B. Mumford was executed. He had been convicted of treason by a military commission, for hauling down a United States flag from the Mint, on April 26, and tearing it into shreds. As the flag had not been hoisted by orders of Farragut, and the city had not yet surrendered when Mumford and his companions pulled it down, the execution of Mumford was an act of cruelty and injustice on the part of General Butler. Let us say to the credit of the latter that, while he ordered Mumford to be executed, he pardoned six paroled prisoners who had conspired to escape. A recent historian, James Schouler, a Northern man, has said of General Butler in his *History of the United States*: "In one way or another, Butler laid here the foundation of wealth which subserved his later ambition in politics, and those he attached to himself were chiefly such as sought material success in life or enjoyed punishing the prostrate. . . . Ill fitted for conqueror, he posed as avenger."

In the most arbitrary manner, General Butler arrested men and women and sent them to Ship Island. The men were often condemned to hard labor, with chain and ball around the ankle. The most outrageous case of

cruelty was that of Mrs. P. Phillips, a lady of the highest respectability, mother of nine children. She was standing on her balcony with several friends while the funeral of a Federal officer was passing by, and was accused of having smiled. For that offense General Butler condemned her to be transported to Ship Island, to be held in close confinement for two years. The property of General Twiggs and that of John Slidell were confiscated, and General Butler established his residence in the former's house. No one in New Orleans felt secure in his property and his liberty, on account of arbitrary confiscations and imprisonments. Even foreigners were molested, and General Butler treated the consuls with harshness and insolence. He seized eight hundred thousand dollars that had been deposited with the consul of Holland by the Citizens' Bank of New Orleans, for payment to Hope & Co., of Amsterdam, and had conflicts with the French, British, and Greek consuls. He distrusted also the Prussian consul, Mr. Kruttschnitt, who was a brother-in-law of Judah P. Benjamin, and whose predecessor had been General Reichard, of the Confederate army. Secretary Seward ordered General Butler to refrain from practising any severities of doubtful right toward consuls or the subjects of any foreign nation, and sent Reverdy Johnson, of Maryland, to investigate the matter of the violation of consular privileges. Mr. Johnson reported that the transaction between the consul of Holland, Mr. Couturié, and the Citizens' Bank was mercantile, and General Butler was ordered to relinquish all claims upon the funds that had been placed in the hands of the consul.

General Butler ordered, on July 25, that all negroes who would join the Federal forces should be free, and in August he disarmed all the inhabitants of New Orleans. On September 25 he ordered all Americans, male and female, above the age of eighteen years, to take the oath of allegiance to the United States Government, under penalty of fine and imprisonment at hard labor, or to register their names as enemies of the Government and go within the Confederate lines. In November all the property in the Lafourche district and in that part of the State east of the Mississippi, except the parishes of Orleans, St. Bernard, and Plaquemines, was sequestered. Orders the most vexatious and tyrannical were issued, such as closing the churches where prayers were offered for the success of the Confederacy. In December, 1862, General Butler was superseded by General Nathaniel P. Banks. On taking leave of the citizens of New Orleans, he issued an address that must have appeared bitter irony to people whom he had so terribly oppressed. He said that the word "farewell" was the only sorrowful thought he had.<sup>11</sup>

But with all the obloquy that has been heaped upon him, it should not be forgotten that he cleaned the city, and freed it from a visitation of yellow fever.



## CHAPTER II

### WAR TIMES

1862 TO 1864

Baton Rouge and Natchez captured by the Federal fleet—Battle of Baton Rouge—Engagements at Bayou des Allemands and at Labadieville—Campaign in the Tèche country in 1863—Siege and surrender of Port Hudson—Establishment of courts of justice—Two governors—Organization of free labor—Energy and activity of Governor Allen—Battles of Mansfield and Pleasant Hill—Escape of the Federal fleet—The Constitution of 1864—The Freedmen's Board of Education—Governor Hahn's message.



**A**FTER the fall of New Orleans Farragut conceived the plan of joining a Federal fleet that was above Vicksburg. He sent several of his vessels up the river, and on the way they captured Baton Rouge and Natchez, which were not fortified. Farragut succeeded afterward in passing the fortified heights of Vicksburg and in making a junction with the fleet above. Vicksburg had been gallantly defended by General Martin L. Smith, among whose troops were several Louisiana regiments. No officer did better service during the siege of the city than Colonel Henry Watkins Allen, who had distinguished himself at the battle of Shiloh and had been wounded in the face. The ram *Arkansas* had been built in Yazoo River to aid in the defense of Vicksburg. On June 28, 1862, a large Federal fleet from Memphis appeared before the city, which had been besieged since

May 18, 1862. On July 15 the ram *Arkansas* came out of Yazoo River and, dashing into the midst of the Federal fleet, ran through their terrible fire and moored in safety under the batteries of the city. She was attacked one night by the ironclad *Essex*, but drove off the huge vessel and sank one of the Federal gunboats. Along the Mississippi, on the right bank, Confederate batteries had been established, and as Farragut's vessels ascended the river they answered the fire of the batteries and bombarded the plantation houses. The planters dug holes in the ground for refuge and covered them with thick beams and several feet of earth. Inside were household furniture and provisions. As long as wooden vessels only went up the river, the Confederate batteries made them almost graze the left bank as they passed by; but when the *Essex* appeared the batteries on the right bank could do her no harm, and they were scattered. The little ram *Arkansas* proved to be at Vicksburg more than a match for the *Essex*.

General Earl Van Dorn had succeeded General Lovell in the command of the forces east of the Mississippi. As Vicksburg had been successfully defended against the Federal fleet, Van Dorn decided to follow up this success and to attempt to recapture Baton Rouge. He intrusted the expedition to General John C. Breckinridge, former Vice-President of the United States and candidate for the Presidency, and the latter took with him Colonel H. W. Allen and his Fourth Louisiana. It was very important to take possession of Baton Rouge, as the mouth of Red River was blockaded by gun-

boats ascending from that town, and from a strategic point of view the occupation of Baton Rouge by the Confederates would facilitate the recapturing of New Orleans. Breckinridge was ordered to go to Camp Moore, where was a small force under General Daniel Ruggles. He had under his command five thousand men when he left Vicksburg, but many of his soldiers fell sick, and when he set out on his expedition from Camp Moore, August 4, 1862, his force had been reduced to three thousand men. He determined not to attack the National troops at Baton Rouge unless he had the aid of the ram *Arkansas*. The latter was unfinished, and her machinery had been injured in her fight with the *Essex*. Brown, her intrepid captain, would not consent to take her out in such a condition, but Lieutenant Steevens agreed to do so. She went down the river, with carpenters still working on her, and Breckinridge was advised by telegraph of her coming. On August 4 he advanced from Camp Moore to Comite River, ten miles from Baton Rouge, and, having heard that the *Arkansas* had passed Bayou Sara, marched against that place. On the morning of August 5 his troops numbered only twenty-six hundred men, but nevertheless he began the battle at dawn. Fauntleroy's battery and a company of partisan rangers, both commanded by Lieutenant-Colonel Thomas Shields, were ordered to attack the enemy at the Clinton plank road, and they did gallant work. Before the general engagement began some of the partisan rangers were mistaken for the enemy, and during a rapid firing General Helm was injured by the fall of his horse, and sev-

eral men were wounded or killed. Among the latter was Lieutenant Todd, a brother of Mrs. Lincoln, wife of the President of the United States. Colonel Thomas H. Hunt, of the Fifth Kentucky, succeeded General Helm in command of the latter's brigade. General Ruggles commanded the right wing and began the engagement near the State House with four pieces of Semmes's battery and two battalions, one under Colonel A. P. Thompson, commanding three Kentucky regiments, and the other under Colonel Allen, commanding the Third and Fourth Louisiana and Boyd's Louisiana battalions. In the attack both Colonel Thompson and Colonel Allen were severely wounded. The latter had been instructed by General Ruggles "to march straight to the front until he was ordered to stop," and he and his men never faltered until Allen fell, shot through both legs. Lieutenant-Colonel Boyd also was wounded, and the troops of Allen's battalion fell back in confusion. Colonel Breaux rallied them and resisted the enemy until ordered to fall back to Comite River.

The Federal commander, General Thomas Williams, a brave and honorable man, who was highly esteemed by his adversaries, was killed during the battle. The fight was hotly contested throughout, and the Confederates lost many officers. Among them were General Charles Clark and Colonel Thomas H. Hunt, who were badly wounded. Colonel John A. Buckner took command of Hunt's brigade, and General Breckinridge joined him in leading a general charge. The Federals were driven to the edge of the river, where they were under the pro-



tection of their gunboats. The latter had not been molested by the *Arkansas*, as had been planned. In vain did Breckinridge await the arrival of the redoubtable ram. Five miles from Baton Rouge the *Arkansas* lay disabled. Her machinery was out of order, and she could no longer fight. Her commander set fire to her and abandoned her, and she was blown up amid the Federal vessels, still bearing the Confederate flag, after her last gun had been fired by the flames. With the gunboats protecting the National forces and firing on the Confederate troops, nothing was left for Breckinridge to do but to withdraw from Baton Rouge. He fell back to Comite River, and a little later fortified Port Hudson. He left Brigadier-General Bowen in command of the Comite camp. The Federal forces abandoned the city soon after the battle and retired to New Orleans. Breckinridge's heroic efforts had not been fruitless.<sup>1</sup>

After the battle of Baton Rouge General Richard Taylor was appointed to the command of the District of Louisiana. He was a son of President Zachary Taylor and was born in Louisiana in 1826. He had served with distinction in Virginia before being assigned to his new command. He met Governor Thomas O. Moore at the town of Opelousas, and received from him whatever aid could be given by the governor of a State of which a considerable part had already been conquered. General Taylor met at Vermilionville, in Lafayette parish, ex-Governor Mouton, and in his book, "Destruction and Reconstruction," speaks highly of him and of Laclair Fuselier, a brave and chivalric old man, who served on his

staff. Alexandria, on Red River, was chosen as the headquarters of the district.

Operations were begun in August, 1862, by an attack against the post at Bayou des Allemands, in the rear of the parish of St. Charles, the former German Coast, named for Law's immigrants. The expedition was under the command of General Pratt, and the troops that participated in it were Colonel Vick's regiment from Lafourche, Colonel Bisland's regiment from Terrebonne, Captains Ash and McWaters's companies of mounted men, and Colonel George B. N. Wailes's three hundred volunteers from St. Charles and St. John the Baptist. General Pratt completely surprised the post at Bayou des Allemands with an overwhelming force, and it surrendered at discretion. Colonel Waller, with his battalion of Texas cavalry, had been ordered to join the Des Allemands expedition; but transports convoyed by gunboats and bearing a brigade of infantry hove in sight when Waller was in St. Charles parish. Troops were landed above and below him, and, says Colonel Wailes, "hemmed in on both flanks, the gunboats in front and an impenetrable swamp in the rear, the battalion was doomed. It was shattered and went to pieces, never to be reunited." In squads of fifteen and twenty the men made their way to the Bayou des Allemands. Some were killed, and some were captured. General Richard Taylor gives credit for the capture of the post to Colonel Waller and his Texans, but it was General Pratt and men from Louisiana who accomplished that feat.<sup>2</sup>

General Alfred Mouton, a son of the ex-governor and

a West-Pointer, reported to General Taylor for duty. He had been wounded at Shiloh while in command of the Eighteenth Louisiana, and that regiment, together with the Crescent, and Clack's battalion of infantry, and Semmes's and Ralston's batteries, was now placed at the disposal of General Taylor. Colonel Léopold Armand, of the Eighteenth Louisiana, with five hundred men, at Labadieville, in October, 1862, attacked General Godfrey Weitzel, who had come up from New Orleans with about four thousand men, and checked his advance in the Lafourche country. At that time a bed of pure rock-salt was found on Judge Avery's property on the Gulf coast, a short distance from New Iberia, and was of great benefit to the Confederates in Louisiana. Judge Avery generously placed his mine at the disposal of the Confederate Government.

There are so many streams in southwestern Louisiana that operations by gunboats were very frequent. The Confederates had, for a time, the *Cotton*, a river steamer converted into a gunboat, and the *Webb*, a tow-boat used as a ram. After an engagement with General Weitzel in January, 1863, Mouton burned the *Cotton*, and the *Webb* was employed on a daring expedition. The *Queen of the West*, a National gunboat, passed the batteries at Vicksburg, descended the river, and entered the Atchafalaya, where she was disabled by a shot from Fort De Russey. The *Indianola*, a large ironclad, now appeared on the river, and it was considered highly important to destroy or capture her. Major J. L. Brent, General Taylor's chief of artillery, undertook the ex-

pedition against the *Indianola*. He had two vessels, the *Webb* and the *Queen of the West*, which had been repaired. Both were protected with cotton-bales. On February 24, 1863, Brent met the *Indianola*, which had a coal-barge on each side, and attacked her at night, using his vessels as rams. He succeeded in sinking the iron-clad, and accomplished a feat which General Taylor praised highly. The river was freed for a time of Federal gunboats between Vicksburg and Port Hudson, but Farragut passed the latter place in March, 1863, and the navigation of the Mississippi was lost to the Confederates. The National fleet suffered considerably while passing the batteries of Port Hudson, which fired with remarkable accuracy.

General Banks, who had succeeded General Butler in New Orleans as commander of the Department of the Gulf, in March concentrated about twenty-five thousand men at Baton Rouge. His purpose had been ostensibly to attack Port Hudson, but really it was to make a diversion while Farragut's fleet should attempt to pass the works. After this object had been accomplished, General Banks turned his attention to southwestern Louisiana, to the beautiful region of the Tèche, immortalized in romance by Longfellow's charming "Evangeline." At this time General E. Kirby Smith arrived in Louisiana to assume command of the Trans-Mississippi Department, which included the States of Missouri, Arkansas, Louisiana, and Texas, and the Indian Territory. General Smith established his headquarters at first at Alexandria, but after a few weeks he removed



them to Shreveport. He was a graduate of West Point, had served in the Mexican War, had been wounded at the first battle of Manassas, and had served with distinction in Tennessee and Kentucky.

The campaign in the Tèche country in 1863 was very spirited and did honor to General Richard Taylor, who, with a force of less than three thousand men, resisted Banks's army of twenty thousand.<sup>3</sup> On April 10, 1863, the National troops were transferred from Baton Rouge and were concentrated at Brashear. A sharp engagement took place at Bisland, on the Tèche, and one at Franklin, in which General Alfred Mouton, Colonel Green, and Captain Semmes, son of Admiral Semmes, distinguished themselves. The two principal generals under Banks were Weitzel and Grover. The Confederates retreated to Opelousas after destroying the gunboat *Diana*, and losing in action the *Queen of the West*, which they had captured. They destroyed also several transports. The National forces took possession of New Iberia, and destroyed the tools and machinery at the salt-mine. At Bayou Vermilion General Taylor made a stand, but he was driven back by the superior force of General Grover,—not, however, before he had burned the bridge across the bayou to delay the approach of the invading army. The latter took possession of Opelousas and Butte-à-la-Rose on April 20. Fort De Russey on Red River was abandoned by the Confederates, and Admiral Porter, who had passed the Vicksburg batteries, captured Alexandria in the beginning of May. On the same day Banks's troops entered that city, where they

remained until May 13. Taylor thereupon returned to Alexandria and sent back Mouton and Green to the Tèche country. In the mean time Vicksburg was besieged vigorously by General Grant, and General Taylor was ordered by General Kirby Smith to send to the help of Vicksburg the force of General Walker, four thousand men, who had just arrived from Arkansas. General Taylor, in his narrative of his campaigns, deplored this order, as nothing could be accomplished by this expedition, and with Walker's force the operations in Louisiana would have been more successful.

General Banks concentrated at Baton Rouge, about the middle of May, all his available troops near the river, for an attack on Port Hudson. The latter place, formerly called Hickey's Landing, is about twenty-two miles above Baton Rouge. It was strongly fortified and was under the command of General Franklin Gardner. Banks had with him Generals Augur, Sherman, Weitzel, Grover, and Dwight, and had in his army two regiments of colored troops. On May 1 he had issued an order for the organization of a *corps d'armée* of colored troops, to be designated as the "Corps d'Afrique." An unsuccessful assault was made on May 27 on the fortifications of Port Hudson, which had been bombarded by Farragut's fleet for a week. On June 14 Banks made another assault, aided again by a bombardment from the fleet, and he was repelled with heavy loss. The batteries above and below Port Hudson were admirably situated along the river, extending in a continuous line about three and a

half miles. After the failure of his two assaults, Banks resolved to push forward his works without attempting any other assault. On July 4, 1863, Vicksburg was surrendered, and General Gardner, on July 7, about midnight, sent a note to General Banks, requesting him to give official assurance whether it was true that Vicksburg had been surrendered, in which case a cessation of hostilities was asked, with a view to the consideration of terms for surrendering Port Hudson. On July 8 General Banks sent General Gardner an extract from an official despatch of General Grant's, announcing the capitulation of Vicksburg, and he refused to consent to a cessation of hostilities. General Gardner then wrote to Banks as follows: "Having defended this position as long as I deem my duty requires, I am willing to surrender to you, and will appoint a commission of three officers to meet a similar commission appointed by yourself, at nine o'clock this morning, for the purpose of agreeing upon and drawing up the terms of the surrender, and for that purpose I ask for a cessation of hostilities." On July 9, 1863, Port Hudson and its dependencies, with its garrison, armaments, etc., were surrendered formally. General Banks generously allowed General Gardner to retain his sword. The Confederate commander had defended the place with great bravery and ability, and had been well seconded by his chief of artillery, Colonel Marshall J. Smith. The surrender of Port Hudson was a heavy blow to the Confederacy, which thus lost the entire Mississippi River. Besides the place itself, the surrender included six thousand two hundred and thirty-three prisoners, fifty-one

pieces of artillery, two steamers, and a large quantity of small arms and ammunition.

While Banks was besieging Port Hudson, General Taylor was very active, and he planned a bold expedition in June against the National force at Berwick's Bay. He completely surprised them on June 23, and captured seventeen hundred prisoners, twelve guns, many small arms, and an immense quantity of quartermaster's and medical stores. The supplies were in such abundance that they served for the campaign of 1864. Many of the prisoners were sick or convalescent, and Taylor paroled all that were not too ill to be moved and sent them to New Orleans with their surgeons. The expedition had been well planned and was admirably executed by Colonel Major, Colonel Hunter, General Green, and General Mouton, under the direction of General Taylor himself. The latter wished to place batteries on the Mississippi, but was delayed by the crossing of Berwick's Bay. General Mouton went to Thibodaux, on Bayou Lafourche, with two regiments of infantry, and his pickets advanced as far as Bayou des Allemands, only twenty-five miles from New Orleans. General Green reached Donaldsonville on June 27, and was repelled in an attack on Fort Butler at the junction of the Lafourche and the Mississippi.

General Taylor succeeded, the first week in July, in placing twelve guns on the Mississippi below Donaldsonville, and closed the river to transports for three days. His mounted scouts reached a point opposite Kenner, sixteen miles above New Orleans, and he was thinking of an expedition against that city when he heard of the sur-



render of Port Hudson. In an incredibly short time Taylor had recovered the Lafourche, Tèche, Attakapas, and Opelousas country. The capitulation of Vicksburg and Port Hudson rendered his situation very serious, as both the fleet and the army of the Federals were now at liberty to attack his small force. On July 13, 1863, Generals Weitzel, Grover, and Dwight arrived at Donaldsonville with six thousand men. General Green, with fourteen hundred men, in the presence of General Taylor, drove the Federals into Donaldsonville and captured two hundred prisoners and two guns.<sup>4</sup> Taylor withdrew on July 21 beyond Berwick's Bay up the Tèche, and removed all his stores and a large herd of cattle. In the autumn General Walker's division of Texas infantry joined General Taylor. They were disciplined soldiers, and rendered great services. On September 29 General Green defeated the Federals in the Fordoche, and took four hundred and fifty prisoners. On November 13 he routed them again at Bayou Bourbeau, three miles south of Opelousas, and took six hundred prisoners. In that action Green's famous Texas cavalry had been reinforced by three regiments of Walker's division, and in the action on the Fordoche by a part of Mouton's brigade. The year 1863, in spite of many brilliant engagements, had been unfortunate in Louisiana for the Confederates. It had been worse elsewhere, as on July 3 the heroic Lee had been defeated at Gettysburg. Thereafter the Confederates had little chance of winning their cause, and fought valiantly for honor more than for success.

While Taylor and Banks were fighting each other,

General George F. Shepley, of Maine, military governor, was establishing in New Orleans courts for the administration of justice. He revived three of the Civil District Courts, and confided the criminal justice to a Provost Court. In January, 1863, a Provisional Court went into operation. It had been constituted by President Lincoln, and consisted of a judge appointed by the President, with power to appoint all other officers. The judge was Charles A. Peabody, of New York, and he and all the other officers of the court were men from the North. The powers and jurisdiction of the court were unlimited. In April, 1863, the Supreme Court was reorganized with Charles A. Peabody as chief justice, and later a Court of Criminal Jurisdiction, and a Probate Court and Records' Courts were opened. Outside of the city there were parish courts of general jurisdiction. It was fortunate that the number of provost courts in the parishes was at last diminished; they had been but too often incompetent, despotic, and corrupt.

Early in 1863 a movement to reorganize the State Government in Louisiana was begun. A party called the Free State General Committee declared that the Constitution of Louisiana had been destroyed by the secession of the State from the Union, and that a convention should be held to frame a new constitution, representation in the convention to be in the ratio of one delegate to every twenty-five hundred of the white population. On the adoption of the constitution, an election of State officers should be ordered. Military Governor Shepley favored the plan of the Free State General Committee, but on







January 11, 1864, General Banks issued a proclamation ordering an election on February 22, 1864, for State officers. There was a party that believed the Constitution of Louisiana had only been suspended by secession, and that there was no need of a convention to frame a new constitution. General Banks was of that opinion, and the election ordered by him took place on February 22. Benjamin F. Flanders was nominated for governor by the Free State party, and Michael Hahn by those who favored the proclamation of General Banks. There was also another candidate, J. Q. A. Fellows, who was in favor of the "Constitution and the Union, with the preservation of the rights of all inviolate." Hahn was elected by a large majority. In the mean time the Confederates had held an election for State officers, and General H. W. Allen had been elected governor, and B. W. Pearce, lieutenant-governor. It seemed as if civil government was to be at last predominant in Louisiana, which had two governors, a Confederate in the north and a Federal in the south. Labor was also reorganized in February, 1864, by general orders from General Banks. Lincoln's Emancipation Proclamation, to take effect on January 1, 1863, was declared by the President not to extend to the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terrebonne, Lafourche, St. Mary, St. Martin, and Orleans. The negroes were not freedmen in those parishes; but an act of Congress forbade the military authorities to return forcibly any slave to his master. The result of such an act was, that the slaves left their masters in

large numbers and either became hangers-on at the camps or went to New Orleans. They lived in idleness and wretchedness, and the plantations were left uncultivated. The planters endeavored to make terms with the negroes, and were aided by General Banks, who, on February 3, 1864, issued general orders on the subject. The following are the most interesting and important regulations:

1. The enlistment of soldiers from plantations under cultivation in this department, having been suspended by order of the Government, will not be resumed except upon direction of the same high authority.

2. The provost marshal general is instructed to provide for the division of parishes into police and school districts, and to organize, from invalid soldiers, a competent police for the preservation of order.

3. Provisions will be made for the establishment of a sufficient number of schools, one at least for each of the police and school districts, for the instruction of the colored children under twelve years of age, which, when established, will be placed under the direction of the Superintendent of Public Education.

4. Soldiers will not be allowed to visit plantations without the written consent of the commanding officer of the regiment or post to which they are attached, and never with arms, except when on duty, accompanied by an officer.

5. Plantation hands will not be allowed to pass from one place to another, except under such regulations as may be established by the provost marshal of the parish.

6. Flogging and other cruel or unusual punishments are interdicted. . . .

8. All questions between the employer and the employed, until other tribunals are established, will be decided by the provost marshal of the parish. . . .

11. The possession of arms, or concealed or dangerous weapons, without authority, will be punished by fine and imprisonment.

12. Laborers shall render to their employer, between daylight and dark, ten hours in summer, and nine hours in winter, of respectful, honest, faithful labor, and receive therefor, in addition to just treatment, wholesome rations, comfortable clothing, quarters, fuel, medical attendance, and instruction for children, wages per month as follows, payment of one half of which at least shall be reserved until the end of the year: For first-class hands, \$8; second-class hands, \$6; third-class hands, \$5; fourth-class hands, \$3. Engineers and foremen, when faithful in the discharge of their duties, will be paid \$2 a month extra. This schedule of wages may be commuted, by consent of both parties, at the rate of one fourteenth part of the net proceeds of the crop, to be determined and paid at the end of the year. Wages will be deducted in case of sickness, and rations also when sickness is feigned. Indolence, insolence, disobedience of orders, and crime will be suppressed by forfeiture of pay, and such punishments as are provided for similar offences by army regulations. Sunday work will be avoided when practicable, but when necessary will be considered as extra labor and paid at the rates specified herein.

13. Laborers will be permitted to choose their employers; but when the agreement is made, they will be held to their engagement for the year, under the protection of the Government. In cases of attempted imposition, by feigning sickness, or stubborn refusal of duty, they will be turned over to the provost marshal of the parish, for labor upon the public works, without pay. . . .

17. A free-labor bank will be established for the safe deposit of all accumulations of wages and other savings; and in order to avoid a possible wrong to depositors, by official defalcation, authority will be asked to connect the bank with the Treasury of the United States in this Department.

From an actual contract between a sugar-planter and his laborers we obtain the following additional information:<sup>5</sup>

The laborers will be fed and lodged, and will receive medical attendance in case of sickness. They will not work on Saturdays, and will receive land to cultivate for their own benefit: two arpents for No. 1 laborers, one arpent and a half for No. 2, and one arpent for No. 3.

Women with nurslings will receive a salary of three dollars a month, and two hours a day will be allowed them to nurse their children. During the grinding season they will work on watches in the sugar-house or under the cane-shed.

Time lost by sickness will be deducted from laborers of all classes.

In case of emergency, the planter will have the right to require work on Saturdays and Sundays, but will replace those days by other days of the week.

Men guarding the sugar-house on Sundays when the other laborers are not working will receive 40 cents additional for the day and 40 cents for the night.

The laborers will make use of the teams of mules and oxen only with the permission of the planter, and for a limited time, and will not maltreat them.

The planter reserves the right of deciding what kind of weather will force the laborers to quit work. They grant him this privilege, confiding in his humanity and equity.

### The contract with the cook provided:

Salary, \$8 a month, to prepare three meals of any number of dishes, half of the salary payable at the end of each month, the other half at the expiration of the contract. On Sundays she will be paid 25 cents to cook the dinner. Hours for meals: Breakfast, 8 o'clock in winter, 7 o'clock in summer; dinner, 2 o'clock in summer and in winter; supper, half-past 7 in winter, 8 in summer. If the meals are not served at the hours mentioned in the contract, 10 cents will be deducted in each case, and 10 cents if the kitchen is not kept in good condition. The



price of kitchen utensils broken through negligence will be deducted from salary. Thirty cents per day will be deducted for unauthorized absences and for time lost through sickness.

The contract with the coachman provided:

Eight dollars a month, with food, payable as for the cook. He will take good care of fourteen horses, and of the harness, and will grease the wheels of the carriages at least once a month. He will be paid 35 cents for driving on Sundays. Twenty-five cents will be deducted from his salary if he is negligent in his work. He will cut the wood for fuel in the house.

Contracts of the same kind were made with the wash-women, the seamstresses, the housemaids, the nurses, the waiters, and the gardeners. The work of each one was minutely described, and in most cases medical attendance was furnished free.

These contracts are very curious and interesting as showing the passage from servile labor to free and paid labor.

Colonel H. W. Allen, who was severely wounded in the battle of Baton Rouge, never recovered his health fully, but in September, 1863, he was appointed by President Davis a brigadier-general and ordered to report to General Kirby Smith at Shreveport. He was soon afterward elected Confederate Governor of Louisiana, and was inaugurated on January 25, 1864. He immediately displayed great energy, and proved to be an ideal "war governor," full of resources, firm, just, and humane. In a message to the Legislature, on January 26, he said: "Start the hammer and the loom. Let the furnace smoke

and the anvil ring. Stimulate capitalists to embark in these industrial pursuits at home; for while the blockade stands you cannot get such articles as you now need so much, unless you make them yourselves. If one half of the capital that has been sent to foreign lands, in running the blockade, had been invested in manufactories at home, our country would be this day in a far better condition. I, therefore, finally recommend that you establish a Mining and Manufacturing Bureau (to which may be attached a laboratory for preparing indigenous medicines), and place at its head men of intelligence, of energy, of undoubted honesty. This is a great undertaking; but we are a great people, and should be equal to any emergency. On the field we are the equals of any in the world. Let us learn a lesson from the enemy, and profit by their example. They manufacture everything at home. It is not too late for us to begin. We have immense resources. We can save the currency and the country. We will. It rests with you to say it shall be done." Governor Allen established State stores, factories, foundries, and a State dispensary to furnish pure medicines at cost, and he distributed cotton-cards among the women of Louisiana, who worked nobly for the soldiers, and were as patriotic as the men. Governor Allen came to the assistance of all disabled Confederate soldiers, and he succeeded in raising nearly a thousand men for the defense of the Confederacy. He was indefatigable in his efforts to relieve the sufferings of the people, and protected their rights even against the Confederate military authorities. General Kirby Smith had

not suspended the writ of habeas corpus, and had striven to avoid encroachments on civil rights, but conflicts with civil functionaries arose occasionally, and Allen maintained with energy the rights of the people. He was so thoroughly honest and patriotic that he soon won the affection and confidence of the Louisianians.

The war in the State was prosecuted with vigor in 1864, and General Banks made great preparations in March to destroy the forces of General Taylor. Sherman sent some of his troops to reinforce Banks, and Admiral Porter collected at the mouth of Red River a formidable fleet of nineteen armed steamers of all classes—monitors, iron-clads, rams, and lighter boats. On March 12, ten thousand men of Sherman's army, commanded by General Andrew J. Smith, arrived at the mouth of Red River. The fleet entered that river and went up the Atchafalaya, and the forces, on March 14, captured Fort De Russey on the latter river. The fort was destroyed, and the expedition proceeded to Alexandria. On March 31 they captured Natchitoches, and on April 4 General Banks arrived at that town. The whole National army on April 6 marched on Shreveport, which was then the Confederate capital of Louisiana and a very important place. Banks's army comprised twenty-eight thousand men, and he was expecting from Arkansas Steele's force of seven thousand. Taylor's army was inferior in numbers, but the Confederate general was a worthy son of old Zachary Taylor, the hero of the Mexican War, and he had such able lieutenants as Green, Mouton, Major, Walker, and Polignac. The latter was a French nobleman, a prince,

to whom the command of a Texan brigade had been given. His soldiers were at first dissatisfied to serve under a Frenchman "whose very name they could not pronounce," but he soon won their confidence by his bravery. In Taylor's army there was also a regiment of cavalry composed of Germans from New Braunfels in Texas. Their colonel, Buchell, was a competent and valiant soldier, and was killed in the campaign of 1864.

General Taylor had retreated two hundred miles from the Atchafalaya to Mansfield, about forty miles from Shreveport. There, on April 8, 1864, the Confederates won a victory over the Federals. On April 7 the advance of the latter had been checked by General Green's cavalry. On the same day Admiral Porter had left Grand Ecore with six gunboats and twenty transports, and on April 6 General Banks had begun his march from Grand Ecore. General Taylor says that Banks's column advanced by the main road, and that the front and rear of his column were separated by a distance of twenty miles. Although his force amounted to twenty thousand men, he did not have more troops at Mansfield than Taylor, whose force amounted to eighty-eight hundred men. As General Taylor rode along the line of Mouton's division he said: "As they are fighting in defense of their own soil, I wish the Louisiana troops to draw the first blood." Mouton's soldiers heeded the general's words, and when the forward movement was ordered, at 4 P.M., they rushed on the enemy in the midst of a terrible fire. The country around Mansfield and Sabine Cross Roads is very woody and hilly, and the Federals had posted a battery



on the top of a high hill on the public road. "Mouton charged down a hill, over a fence, through a ravine, then up a hill right in the teeth of the guns. The charge lasted twenty-five minutes." The loss of the Louisianians was very great. Colonels Léopold Armant, Beard, and Walker, of the Eighteenth, Crescent, and Twenty-eighth regiments were killed. The Eighteenth Louisiana was composed of Creoles, and had distinguished itself at Shiloh. Their colonel was a heroic young man. During the charge at Mansfield, Armant's horse was killed and he was shot in the arm. Waving his sword with his unwounded hand, he ran beside his men until he was shot through the thighs. He raised himself on his wounded arm and, still waving his sword, cheered on his men. He was then struck in the breast and killed. General Alfred Mouton soon shared the fate of his valiant colonel, and was killed by men who had thrown down their arms in token of surrender, and whom he was in the act of protecting from his own soldiers.<sup>6</sup> Prince Polignac succeeded Mouton as commander of his division and behaved with gallantry and ability. The Federals were pursued nearly four miles, and a sharp fight took place between Taylor's men and a fresh body of troops for the possession of a small stream under a ridge on which the Federals were posted. The latter lost at Mansfield more than two thousand men. Churchill's Missouri-Arkansas troops, forty-four hundred men, reached Taylor from Keachi at dawn of April 9, and were ordered to march toward Pleasant Hill. Here a hotly contested battle was fought, "a drawn battle," and the Federals re-

treated during the night.<sup>7</sup> The Red River expedition had been a failure.

General Kirby Smith arrived at Pleasant Hill after the battle, and, fearing an attack from Arkansas by General Steele, would not allow Taylor to pursue the enemy and move too far from Shreveport. The infantry was moved to Mansfield, and the cavalry and two batteries, after engagements with the gunboats, returned to Pleasant Hill. The able and valiant Green was killed on April 12, by a discharge of grape from a gunboat. On April 13, General Kirby Smith visited Taylor at Mansfield, and it was determined that the latter should serve under Smith's command until Steele's column was destroyed or repelled, and should then be allowed to return to pursue Banks. Walker and Churchill's divisions were ordered by Smith to join in the attack against Steele, and Taylor went to Shreveport. There he found that his services were not needed, and he returned to his little army at Grand Ecore. The Federals retreated toward Alexandria and were harassed all the way by Taylor's troops. At the junction of Cane and Red rivers there was a sharp engagement, and there Captain Cornay, who commanded a fine battery, was killed. "With Mouton, Armand, and many other Creoles," says Taylor, "Cornay proved by distinguished gallantry that the fighting qualities of the old French breed had suffered no deterioration on the soil of Louisiana." On April 27 the Federal army reached Alexandria, and Admiral Porter's fleet lay above the falls of Red River in a precarious position. Taylor succeeded in closing for fifteen days Federal communi-

cation with the Mississippi, and the destruction of the Federal squadron seemed assured. The water was too low for the vessels to get out, and Porter says he saw nothing before him but the destruction of the best part of the Mississippi squadron. The fleet was saved by the skill and ability of Colonel Joseph Bailey, acting engineer of the Nineteenth Army Corps, who built a series of dams across the rocks at the falls, and raised the water high enough to let the vessels pass over. The achievement was truly wonderful, and is described as follows by Admiral Porter:

The work was commenced by running out from the left bank of the river a tree dam, made of the bodies of very large trees, brush, brick, and stone, cross-tied with heavy timber and strengthened in every way which ingenuity could devise. This was run out about three hundred feet into the river; four large coal-barges were then filled with brick and sunk at the end of it. From the right bank of the river cribs filled with stone were built out to meet the barges, all of which was successfully accomplished, notwithstanding there was a current running of eight miles an hour, which threatened to sweep everything before it.

The dam was completed in eight days, but then two of the stone-barges were swept away. The *Lexington* was the only vessel to pass, and Porter doubted whether Bailey would have the heart to renew the enterprise. This he did with great energy, and on May 12 the last of the gunboats passed the falls. On May 13 Alexandria was evacuated by the Federals, and on the same day a disastrous fire broke out in the town. Porter's squadron and Banks's army returned to New Orleans after a rather

inglorious campaign. The last action in the Trans-Mississippi Department was at Yellow Bayou, in Louisiana, on May 18, 1864. From that time to the close of the war not a shot, says Taylor, was fired in the department.<sup>8</sup>

General Taylor applied for relief from duty a month after the close of the Red River campaign, and retired to Natchitoches. He was soon afterward ordered to take command of the Department of Alabama, Mississippi, and East Louisiana, as the successor of General Polk, with headquarters at Meridian.

General Leonidas Polk is an interesting person in the history of the Civil War. He was born in North Carolina in 1806, was graduated at West Point Military Academy in 1827, and was breveted second lieutenant of artillery. He soon resigned his commission and studied for the ministry of the Protestant Episcopal Church. In 1838 he was elected missionary bishop of the Southwest, and in 1841 bishop of Louisiana. He was one of the initiators, in connection with Bishop Stephen Elliott, of the movement to establish the University of the South at Sewanee, Tennessee. Bishop Polk was an ardent supporter of the Confederacy, and in June, 1861, was appointed a major-general by President Davis. He was placed in command of the territory extending from the mouth of Red River to Cairo, with headquarters at Memphis. He commanded the Confederate troops at the battle of Belmont, on November 7, 1861, and took part in the battle of Shiloh. He commanded afterward the armies of Kentucky and Mississippi, and was promoted in October, 1862, to the rank of lieutenant-general. In December, 1863, he was



assigned to the Department of Alabama, Mississippi, and East Louisiana. While reconnoitering on Pine Mountain, near Marietta, Georgia, he was killed, June 14, 1864.

Michael Hahn, who was elected governor by the Free State party, was a Bavarian by birth. He had been for a short time in 1862 a member of Congress with Benjamin F. Flanders. He was inaugurated on March 4, 1864, and on March 15 President Lincoln invested him with the powers hitherto exercised by the Military Governor of Louisiana. An election was held by order of General Banks, on March 28, for delegates to a convention to be held for the revision and amendment of the Constitution. The qualifications for voting were declared to be as follows:

Every free white man, twenty-one years of age, who has been a resident of the State twelve months, and six months in the parish in which he offers to vote, who is a citizen of the United States, and who shall have taken the oath prescribed by the President in his proclamation of the 6th December, 1863, shall have the right to vote in the election of delegates.

General Banks said that "the city of New Orleans is really the State of Louisiana," and on being asked what portion of the State had voted he answered: "All as far up as Pointe Coupée, and there were some men from the Red River who voted at Vidalia." A committee of the House of Representatives reported that "elections were held only in the parishes included within the Federal lines, and these lines were the Tèche on the one side and the Amite on the other, comprehending the parish or city

of New Orleans, and the neighboring parishes on the Mississippi.”

The convention met on April 6, 1864, and adopted a constitution on July 23. The president of the convention was E. H. Durell, who was to obtain an unenviable notoriety a few years later. The most important articles were as follows:

Title I. Article 1. Slavery and involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, are hereby forever abolished and prohibited throughout the State.—Article 2. The Legislature shall make no law recognizing the right of property in man.

Title III. Article 15. The Legislature shall have power to pass laws extending suffrage to such other persons, citizens of the United States, as by military service, by taxation to support the Government, or by intellectual fitness, may be deemed entitled thereto.

Title VII. Article 128. The Legislature shall pass no law excluding citizens of this State from office for not being conversant with any language except that in which the Constitution of the United States is written.—Article 132. The Legislature shall pass no law requiring a property qualification for office.

Title XI. Article 141. The Legislature shall provide for the education of all children of the State between the ages of six and eighteen years, by maintenance of free public schools by taxation or otherwise.—Article 142. The general exercises in the common schools shall be conducted in the English language.

The Constitution of 1864, although adopted in time of war, was sensible in some respects, and restricted the power of the Legislature to contract debts. It decreed the establishment of a university in New Orleans. This

was, in reality, an attempt to reorganize the university created by the Constitution of 1845. An election was held on September 5, 1864, on the adoption or rejection of the Constitution, and it was adopted by forty-six hundred and sixty-four yeas to seven hundred and eighty-nine nays. Members of Congress and members of the Legislature were chosen at the same election.

General Banks had not given proof of great military ability, but in his dealings with civil matters he showed good sense and a desire to do what would benefit the people. His views on granting suffrage to persons of African descent are so interesting that we give them in full as stated by himself: <sup>9</sup>

It was with much hesitation that the mass of the people entered into measures for the organization of a government. Some were ready, but others reluctant. Revolutions make the mass of men timid. It required the strongest representations of public advantage to induce them to venture again into the stormy sea of politics. Had it been announced that the negroes, who were largely in the majority, against the example, advice, and instructions of all branches of the Government, were to be admitted to the right of suffrage by military order, it would have resulted in an exclusively negro constituency. You might not object to this, but I know perfectly well that a government, organized by negro voters, that should give the elective franchise to white men, would not be acceptable to the administration, to Congress, nor to the country, nor any part of it. Such would have been the result in Louisiana, beyond question, under a general order conferring the right of suffrage upon negroes. It would not have secured to colored citizens, now or hereafter, that right. It would have deferred, if not defeated it. I did not decide upon this subject without very long and serious reflection, weighing the whole sub-

ject in every light, with a desire to effect the extension. My plan was consistent with my orders, and would have been as successful in this as in other respects. It was to obtain from the United States Court—following the judicial example both of free and slave States—a decree fixing the standard of citizenship as to color, and declaring that a man with a major part of white blood should possess all the rights of a white man. Upon this decision I should have ordered all persons of that class embraced within the decision of the court to be enrolled as voters. This was the way, and the only way, to begin. It would have given the right of representation to 30,000 colored people, and have led, without contest, to the immediate extension of the franchise of the race. I had arranged this with Judge Durell, who was ready to give the case a hearing in the United States Circuit Court, and with one of the most eminent conservative lawyers to argue the question for the Government in favor of the negro; but a few men, who wanted to break the bundle of sticks without loosening the band, defeated it. The President gave me too much to do,—more than any other major-general in the army,—or it would have been accomplished. My belief is now, that the question of suffrage will be settled sooner in Louisiana than in any other State.

General Banks established a Board of Education for freedmen, which was “empowered to assess and levy a school tax upon real and personal property, including crops of plantations, in each school district.” The crops in 1864 had failed almost completely, and the superintendent of the Bureau of Free Labor in the Department of the Gulf reported the probable disappearance of the old planting aristocracy, and said:

In regard to the treatment of the freedmen, the old planters have, as a general rule, paid them more promptly, more justly,



and apparently with more willingness than have the new lessees from other parts of the country.

The Legislature met in New Orleans, according to the Constitution of 1864, on October 3. J. Madison Wells was lieutenant-governor and president of the Senate, and Simeon Belden was elected Speaker of the House. Governor Michael Hahn began his message by saying that the occasion was "deeply heart-cheering" which enabled him, "after a hiatus of nearly three years in the legislative history of Louisiana," to welcome the representatives of the popular will. He referred to "the rebellion, bloodshed, and anarchy, where all should have been loyalty, peace, and contentment," and made the following declaration: "But while this State was thus momentarily placed, by the bad men who had conspired against the national authority, in armed hostility to the Union, no patriot ever conceded, or could with truth and propriety admit, that its people had ever sanctioned the atrocious doctrine of secession; and although for a time, under the rebel control, as under Federal military occupation, the inalienable rights of the State were in abeyance, they were neither lost nor surrendered." The governor recommended that assistance be rendered to the families of Louisiana soldiers in the army of the United States; he said that the banks in the State had been enemies to the Government and were entitled to no sympathy, privileges, or protection. Most of them were hopelessly insolvent. He called attention to the duty of educating the colored children, and concluded his message with words that in-

dicating that he was not a chivalric enemy. "The rebellion," he said, "everywhere is at its last gasp. The triumphs of Farragut, of Sherman (both names ever dear to Louisianians), of Sheridan and Grant, give assurance that the period is at hand which will witness the inglorious end of the most extraordinary treason to be read of in human history." In saying that the names of Farragut and Sherman should ever be dear to Louisianians, Governor Michael Hahn proved himself to be either a master of irony or an exquisitely unconscious humorist. We may excuse somewhat, however, his exaggeration and rudeness, when we consider the times during which he was governor. He lived long enough to respect the former Confederates whom he called "bad men," and to win, in his turn, their respect at the end of his career. The Legislature was not any more tolerant than Governor Hahn, and on October 12, 1864, a resolution was introduced in the Senate ordering the attorney-general and the district-attorneys, under penalty of loss of office, to institute criminal proceedings for the crimes of perjury and treason, or either, against Thomas Overton Moore, Henry M. Hyams, T. J. Semmes, E. Warren Moïse, Judah P. Benjamin, John Slidell, and all members of the Legislature in December, 1860, that voted for calling the convention to deliberate upon the act of secession; also "all members of said convention who voted for or signed said act of secession, by which this State has been prostrated and ruined; also, all judges of the Supreme and Inferior Courts, the public officers of the State, cities, corporations, and parishes, who have not now renounced their

treasonable acts and returned to their loyalty." All the above-mentioned persons were exempted from the general amnesty.<sup>10</sup> The war was nearly at an end, but gloomier days than those of war times were to come for the Louisianians. On the battle-field they had fought like free and brave men with weapons in their hands. After the war they were held in bondage for several years, and it required a mighty effort to break the fetters that enchained them.

## CHAPTER III

### END OF THE WAR—BEGINNING OF RECONSTRUCTION

Protest of Governor Allen against the destruction of cotton—Mission to France of General de Polignac and Colonel Miltenberger—Surrender of the Trans-Mississippi Department—Farewell address of Governor Allen—Disagreement between Congress and President Johnson—Governor Wells and Lieutenant-Governor Voorhies—The New Orleans riot in 1866—Lieutenant-Governor Voorhies's letter to President Johnson—The Reconstruction Acts of 1867.



THE policy of the Confederate Government, from the beginning of the war, had been to burn the cotton that might fall into the hands of the enemy. On December 21, 1864, Governor Allen addressed to General Kirby Smith an earnest and emphatic protest against the proposed destruction of all cotton on the Ouachita and in other parts of the State liable to the incursions of the Federals. He said that no apparent benefit had resulted from the destruction of cotton after the first year of the war, and that it was very doubtful whether it was beneficial at any time. He argued that if it was right to destroy a citizen's cotton to keep it out of the hands of the enemy, it was equally right to destroy any and all property of the citizen that the enemy could use. He added that the cotton might be judiciously left



as a bait for the enemy; that it was supposed to have influenced General Banks in his raid up Red River, "a diversion of the Federal forces which contributed immensely to our great success in the now closing campaign of 1864. A similar Federal diversion in 1865 would be cheaply bought at the cost of every bale of cotton west of the Mississippi." General Kirby Smith heeded Governor Allen's wise words, and a large quantity of cotton was saved.

At the end of 1864 occurred an interesting incident in the history of the Confederacy, which has been related by General C. T. de Polignac in a letter dated April 17, 1901, from Cannes, France, published in the "Washington Post" of May 7, 1901. Colonel Ernest Miltenberger, of New Orleans, one of the principal actors in the event referred to, has also related it, and we give here in full his clear and concise narrative:

Toward the latter part of December, 1864, General Polignac, who then commanded a division of the Trans-Mississippi Department, under General Kirby Smith, received a letter from a distinguished French gentleman and friend, in which he stated that in a conversation with the Duke de Morny, who was, at the time, the most influential personage with Emperor Napoleon, the Duke intimated that a visit from General Polignac might result in great and substantial benefit to the Confederate cause. General Polignac submitted the matter to General Kirby Smith, who conferred with Governor Henry W. Allen of Louisiana on the subject, and these gentlemen came to the conclusion that the matter was of such importance that it should be attended to without delay. Owing to the difficulty of communicating with Richmond, and the precious time that would be lost to do so, General Smith

and Governor Allen determined to send to Paris General Polignac and myself as representatives of the Confederate States and of the State of Louisiana, respectively. I, being a native Louisianian and lieutenant-colonel on the Governor's staff, was trusted with a letter from the Governor to Emperor Napoleon. In said letter he referred at length in the most pathetic manner to the strong and sacred ties that bound France and Louisiana. He also stated, in very positive language, the imminent danger, in case the Confederate States should succumb, to the French occupation of Mexico, and warned him that in such contingency the immense Federal army would, beyond doubt, be turned toward Mexico.

Early in January, 1865, General Polignac, accompanied by Major John C. Moncure (now Judge Moncure, one of our most respected and distinguished citizens of North Louisiana), his chief of staff, and myself, left Shreveport on our mission and proceeded to Matamoras, Mexico. After reaching the latter place, we were detained there about three weeks before we could procure transportation, and then we had to take a steamer to Havana, Cuba. Here we were detained again about two weeks, and had to take passage on a Spanish steamer to Cadiz, Spain. Upon our arrival at Cadiz, we were painfully surprised to learn that the Duke de Morny, upon whom we depended so much, if not altogether, for the success of our mission, had died whilst we were at sea. We continued at once on our journey to Paris, and two or three days after our arrival there Prince Polignac and myself obtained an audience from the Emperor at the Tuileries Palace.

The Emperor received us in his "cabinet de travail," and I delivered to him Governor Allen's letter. General Polignac and myself told him the object of our visit. The Emperor listened very attentively to our remarks, and then informed us that he had, at two different times, endeavored to get England to join France in taking action in behalf of the Confederate States, but without success, and France could not act independently of England. He then kindly said it was too late to take any further action, and such was the case, as the terrible and disastrous news from General

Lee's army was then being received, and indicated the early and inevitable fall of the Confederacy.

In his letter to the "Washington Post," referred to above, General de Polignac says that Governor Allen, in December, 1864, imparted to him his idea of arming the negroes, as a consequence of giving them their freedom. Governor Allen felt perfect confidence in the loyalty of the black population, and wished to make use of them to repel the invaders of the soil of Louisiana. But nothing could save the Confederacy. It had to succumb under overwhelming odds, and on April 9, 1865, Lee surrendered at Appomattox the remnants of his valiant army. It was evident that it was useless to prosecute the war in other portions of the Confederacy, but in Louisiana General E. Kirby Smith felt that he should not be justified in surrendering the department without an order from President Davis, and many persons believed that the war could be prolonged by crossing the Mississippi River and going into Texas. Governor Allen, however, who had been so energetic as long as he thought that the honor of Louisiana required her sons to defend her, was of opinion that further resistance would be criminal and would bring useless suffering upon the people. He persuaded General Smith to invite the Federal commissioners who had come to demand the surrender of the department to remain at Shreveport until a meeting could be held, at Marshall, Texas, of the governors of Louisiana, Arkansas, Texas, and Missouri. General Smith, on May 9, 1865, asked the governors to

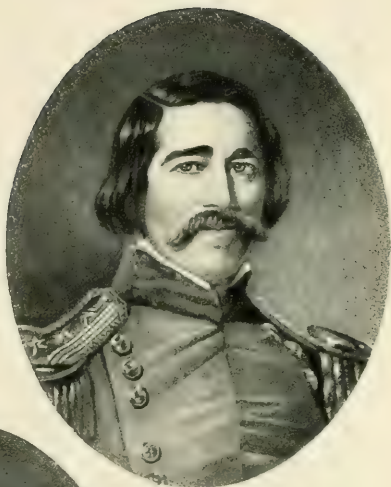
indicate such policy as they might "deem necessary to maintain with honor and success the sacred cause" in which they were engaged. They advised General Smith to accept honorable terms and surrender the department. This was done in New Orleans by Generals Price and Buckner, on May 26, subject to the approval of General Smith. General Richard Taylor had already surrendered, on May 8, 1865, to General Edward R. S. Canby, who had succeeded General Banks in 1864 in the command of the Department of the Gulf.

Governor Allen determined to retire to Mexico, and on June 2, 1865, he addressed to the people of Louisiana the following farewell message:

FELLOW-CITIZENS: I have thought it my duty to address you a few words in parting from you, perhaps forever. My administration as Governor of Louisiana closes this day. The war is over, the contest is ended, the soldiers are disbanded and gone to their homes, and now there is in Louisiana no opposition whatever to the Constitution and the laws of the United States. Until order shall be established, and society with all its safeguards fully restored, I would advise that you form yourselves into companies and squads for the purpose of protecting your families from outrage and insult, and your property from spoliation. A few bad men can do much mischief and destroy much property. Within a short while the United States authorities will no doubt send you an armed force to any part of the State where you may require it for your protection.

My countrymen, we have for four long years waged a war which we deemed to be just in sight of high heaven. We have not been the best, the wisest, nor the bravest people of the world, but we have suffered more and borne our sufferings with greater fortitude than any people on the face of God's green earth.







Now let us show to the world that, as we have fought like men, like men we can make peace. Let there be no acts of violence, no heart-burnings, no intemperate language, but with manly dignity submit to the inevitable course of events. Neither let there be any repinings after lost property, let there be no crimination or recrimination, no murmurs. It will do no good, but may do much harm. You who, like myself, have lost all (and oh, how many there are!) must begin life anew. Let us not talk of despair, nor whine about our misfortunes, but with strong arms and stout hearts adapt ourselves to the circumstances which surround us.

It now rests with the United States authorities to make you once more a contented, a prosperous and happy people. They can within five years restore Louisiana to its original wealth and prosperity, and heal the terrible wounds that have been inflicted upon her, so great are our recuperative energies, so rich is our soil, so great are the resources of the State! Our rulers have it in their power to dry the mourners' tears, to make glad the hearts of the poor widow and the orphan, to cause the past in a great measure to be forgotten, and to make your devastated lands "to blossom as the rose." If my voice could be heard and heeded at Washington, I would say, "Spare this distracted land, oh, spare this afflicted people. In the name of bleeding humanity, they have suffered enough!" But, my countrymen, this cannot be. I am one of the proscribed—I must go into exile. I have stood by you, fought for you, and stayed with you up to the very last moment, and now leave you with a heavy heart. The high trust with which you have honored me is this day returned. I leave the office of Governor with clean hands, and with the conscious pride of having done my duty. All the officers of the State, and all employees in its various departments, have rendered their final accounts, made full and complete statements. I thank them for their uniform kindness to me, and their patriotic devotion to the several duties assigned them. These accounts are in the hands of Colonel John M. Sandidge. I invite the closest scrutiny, not only of these papers, but of all my acts as Governor of Louisiana.

My State stores and dispensaries and manufactories have all been conducted in the most successful manner. None can tell the vast amount of good they have done, not only to you, but to the people of Texas, Arkansas, and Missouri.

Fellow-citizens, in this, the darkest hour of my life, I do not come before you as an old man, broken down by storms of state, nor do I come to plead for mercy at the hands of those whom I have fought four long years. No, no; I come in the pride and vigor of manhood, unconquered, unsubdued. I have nothing to regret; I look back with mournful pleasure at my public career, now about to close. As a citizen, as a soldier, as a statesman, I have done my duty. The soldier's family, the widow and the orphan, the sick and wounded, the poor and needy, have all had my especial care, while the wants of the soldier and the citizen have not been forgotten. I have protected the people from the encroachments of military power, and have never permitted a bale of cotton in the State to be seized or impressed. It is partially in remembrance of these acts that you have always given me your entire confidence. But few in authority have ever had so many evidences of affection and regard as you have so often shown me. Refugees, return to your homes! Repair, improve, and plant. Go to work with a hearty good-will and let your actions show how you are able and willing to adapt yourselves to the new order of things. We want no Venice here, where the denizens of an unhappy State shall ever meditate with moody brow, and plot the overthrow of the government, and where all shall be dark and dreary, cold and suspicious. But rather let confidence be restored. If required, let each and every one go forward cheerfully, and take the oath of allegiance to the country in which they expect in future to live, and there pursue their respective avocations with redoubled energy as good, true, and substantial citizens.

I go into exile not as did the ancient Roman, to lead back foreign armies against my native land, but rather to avoid persecution and the crown of martyrdom. I go to seek repose for my shattered limbs. It is my prayer to God, that this country



may be blessed with permanent peace, and that real prosperity, general happiness, and lasting contentment may unite all who have elected to live under the flag of a common country. If possible, forget the past. Look forward to the future. Act with candor and discretion, and you will live to bless him who, in parting, gives you this last advice.

And now, what shall I say, in parting, to my fair countrywomen! Ladies of Louisiana, I bow to you with tears of grateful affection. You have always responded most promptly and cheerfully to the calls of patriotism and duty. You clothed the soldiers, nursed the sick and wounded, cheered up the faint-hearted, and smoothed the dying pillow of the warrior patriot. God bless you! I can never forget you. In the land of exile, I shall remember you with feelings of gratitude too deep for utterance. Sometimes think of him who has sacrificed all for you. Perhaps, in better days, when the storm of passion and prejudice shall have passed away, we may meet again. I may then be permitted to return, to mingle with my friends, to take them by the hand, and "forget my own griefs, to be happy with you." If this should be denied me, I humbly trust we may all meet in heaven, at last, to part no more.

Governor Allen's name was suggested by some of his friends as candidate for Governor of Louisiana at the election that was held on November 6, 1865. He received only fifty-four hundred and ninety-seven votes. He was then living in the city of Mexico, in poverty, the editor of a newspaper. He died there, April 11, 1866, and was buried in his gray uniform. His remains have been brought to Louisiana, and they rest under a monument erected to his memory on the hill on which stands the State House of Louisiana which he loved so well, for which he shed his blood on the field of battle, and which

he governed with such firmness and patriotism in war-time. Large trees grow around his grave, while under the hill the great Mississippi rushes along and salutes with a mighty roar the brave soldier and devoted governor.

Many Louisianians distinguished themselves on the battle-fields of the Civil War. The most eminent was General Gustave Toutant Beauregard, strategist and engineer, who was born in St. Bernard parish, Louisiana, in 1818; was graduated at the West Point Military Academy, served with distinction in the Mexican War, and rose to the rank of general in the service of the Confederacy. In the opinion of many critics, General Beauregard was a great strategist; in the opinion of all, he never had a superior as a military engineer, and his defense of Charleston was worthy of Vauban or Todleben. Simple and modest in private life, General Beauregard was brave to rashness on the battle-field, and he inspired his soldiers with wonderful enthusiasm. He returned to New Orleans on May 20, 1865, and met an enthusiastic reception from the people of the city. He died in New Orleans, February 20, 1893.

General Braxton Bragg was born in North Carolina in 1815, was graduated at West Point in 1837, and served with distinction in the Florida wars and in the Mexican War. He resigned from the army in 1856 with the rank of major, and was a sugar-planter in Lafourche parish, Louisiana, from 1856 to 1861, serving for several years as State commissioner of public works. He became commander-in-chief of the Louisiana troops after the

adoption of the Ordinance of Secession in 1861, and on March 7, 1861, was appointed a brigadier-general in the Confederate States army. He rose to the rank of general, and rendered important services to the Confederate cause. General Bragg died in Galveston, Texas, September 27, 1876.

Francis Tillou Nicholls was born at Donaldsonville, Louisiana, in 1834. He was graduated at West Point Military Academy in 1855, and served as lieutenant of artillery in the campaign against the Seminoles in 1856. He resigned his commission the same year, and was admitted to the bar in 1858. In 1861 he entered the army of the Confederacy as captain of a company from Ascension and Assumption, and in June was chosen lieutenant-colonel of the Eighth Louisiana Regiment. He was soon afterward commissioned brigadier-general and placed in command of the Second Louisiana Brigade. He took part in several battles, lost his left arm at Winchester, and was taken prisoner. At Chancellorsville he lost a foot, and later he was placed in charge of the defense of Lynchburg, Virginia. In 1864 General Nicholls was in charge of the Trans-Mississippi conscript bureau. No Louisianian behaved with more devotion to his State, or with more gallantry, than General Nicholls during the great Civil War.

We have seen what were the services rendered Louisiana by Paul O. Hébert as governor from 1853 to 1856. During the Civil War he served as a brigadier-general in the Confederate army, and commanded successively in Louisiana and in Texas. He surrendered at Galveston

to General Gordon Granger, who returned to him his sword in appreciation of his gallantry.

The following is a list of the Louisianians that became general officers in the Confederate service:

First Louisiana Regulars, Colonel Adley H. Gladden, brigadier-general September 30, 1861, succeeded by Colonel Daniel W. Adams, brigadier-general May 23, 1862.

Seventh Louisiana Volunteers (Pelican Regiment), Colonel Harry T. Hays, brigadier-general July 25, 1862.

Ninth Louisiana Volunteers, Leroy A. Stafford, elected Colonel May, 1862, brigadier-general October 8, 1863.

Twelfth Louisiana Volunteers, Colonel Thomas M. Scott, brigadier-general May 10, 1864.

Thirteenth Louisiana Volunteers, Colonel Randall Lee Gibson (consolidated Thirteenth Regiment), brigadier-general January 11, 1864.

Fourteenth Louisiana Volunteers, Colonel Zebulon York, brigadier-general June 2, 1864.

Twenty-second Louisiana Volunteers, Colonel Marion L. Smith, brigadier-general April 11, 1862.

Twenty-eighth Louisiana Volunteers, Colonel Allen Thomas, brigadier-general February 17, 1864.

First Regiment Louisiana Heavy Artillery, Colonel Paul O. Hébert, brigadier-general August 14, 1861.<sup>1</sup>

No account of the services rendered to the Confederacy by the men from Louisiana would be complete without special mention of the brave and devoted chaplains, Fathers Darius Hubert and Isidore Turgis, who on many



battle-fields comforted the dying with the words of Christ.

The men of the South fought nobly and well for four long years; they fought for a principle, for independence, as they thought. Their heroism deserves to be praised, and their children will ever cherish their memory. But it is better that they did not succeed in disrupting the Union permanently. We are now again a united and mighty nation, and it is to be hoped that there lives not a man in the United States that would not shed the last drop of his blood to keep intact the frontiers of his country, which lies between two great oceans and extends from Canada to the Mexican Gulf.

While the war was in progress President Lincoln had prepared a plan for the civil government of the Southern States, and on December 8, 1863, he had issued an amnesty proclamation. His mode of reconstruction was to recognize a State government if reëstablished by a number of persons loyal to the Union—not less than one tenth of the number of votes cast in such State at the Presidential election of 1860. Already Messrs. Hahn and Flanders had been elected representatives to Congress and had been seated on February 9, 1863, their term of office expiring on March 4, 1863. Michael Hahn was elected governor on February 22, 1864, and was inaugurated on March 4. Congress was not in accord with the President in his reconstruction policy, and he was attacked by Senator Benjamin Wade, of Ohio, and Representative Henry Winter Davis, of Maryland, who published a protest against Mr. Lincoln's proclamation of

July 8, 1864, in which Mr. Davis objected to the setting aside of the "free State constitutions and governments already adopted and installed in Arkansas and Louisiana." <sup>2</sup> Congress refused to admit the members from Louisiana elected in 1864, and on February 4, 1865, a joint resolution was passed prohibiting the counting of any electoral votes for President and Vice-President in the election of 1864 from the seceded States. President Lincoln approved the resolution and said it was not competent for the Executive to defeat or obstruct by a veto the power of both houses to exclude electoral votes deemed by them illegal. The Thirteenth Amendment to the Constitution of the United States, abolishing slavery, was submitted to the States for ratification in February, 1865. On April 14 President Lincoln was shot, and he died on the morning of April 15. The death of that humane, patriotic, and able man was a great misfortune to the whole country, and especially to the South. His policy of reconstruction was the perduration of the States in the Union, in spite of their acts of secession, and probably he would have reëstablished the State governments in a peaceful manner.

Governor Michael Hahn, having been elected a senator of the United States, resigned the governorship, and on March 4, 1865, Lieutenant-Governor Wells succeeded him. The government of Louisiana was recognized as legal by President Johnson, who on May 29, 1865, issued his proclamation of amnesty and pardon, supplemental to President Lincoln's proclamations of December 8, 1863, and March 26, 1864. The oath indicated in Johnson's proclamation was as follows:

I, \_\_\_\_\_, do solemnly swear (or affirm), in presence of Almighty God, that I will henceforth faithfully support, protect, and defend the Constitution of the United States and the Union of the States thereunder, and that I will in like manner abide by and faithfully support all laws and proclamations which have been made during the existing rebellion with reference to the emancipation of slaves. So help me God.

A large number of classes were excepted from the benefits of the proclamation. "Provided, that special application may be made to the President for pardon by any person belonging to the excepted classes, and such clemency will be liberally extended as may be consistent with the facts of the case and the peace and dignity of the United States." President Johnson began immediately to reconstruct the State governments in the South, and on May 29 he appointed William W. Holden provisional governor of North Carolina. A convention was to be convened to alter or amend the constitution of the State, and to provide for its restoration "to its constitutional relations to the Federal Government." In like manner, President Johnson appointed provisional governors for Mississippi, Georgia, Alabama, South Carolina, and Florida. He had recognized the governments of Arkansas, Louisiana, and Tennessee, established by President Lincoln, and the loyal government that existed in Virginia during the war. Virginia, therefore, was not reconstructed at that time, as she was supposed never to have left the Union. This was the doctrine of State "perduration" of Lincoln, which Johnson followed. Congress was of a very different opinion with regard to recon-

struction, maintaining that it was not in the power of the President to effect it, and that it was a problem for Congress to solve. As Professor John W. Burgess, in his work on "Reconstruction and the Constitution," has aptly said: "In a word, it was the question of admission, or the readmission, of States into the Union, or more correctly the question of the establishment or reëstablishment of the 'State' system of local government upon territory of the United States under the exclusive power of the central government." The Republicans in Congress had great fears for the safety and liberty of the negroes in the South, believing that they would be subjected to a virtual reënslavement. Hence, a reconstruction policy was adopted that for a time seemed to produce an enslavement of the whites.

In Louisiana it was believed by many that the Constitution of 1864 was without legal sanction, as it had not really been adopted by the people. Following, however, the mandate of the Constitution that State officers be elected as soon as peace should be restored, Governor Wells issued a proclamation for holding an election on November 6, 1865. At that election J. Madison Wells received twenty-two thousand three hundred and twelve votes, and ex-Governor Allen fifty-four hundred and ninety-seven votes. Albert Voorhies was elected lieutenant-governor, and the Legislature was almost entirely Democratic. Louisiana was to have a Legislature composed of men of honor for nearly two years before falling into the hands of ignorant negroes and unscrupulous adventurers. In November, 1865, the name of



Henry C. Warmoth first appeared in the history of the State. The Radical Republicans claimed his election as delegate to Congress for the Territory of Louisiana, basing their claim on the support of the negroes.

The Legislature assembled in extra session on November 23, 1865, and immediately the question of the validity of the Constitution of 1864 came up. A committee was appointed to consider the subject, and presented a majority and a minority report. The majority report considered the Constitution of 1864 as the creation of fraud and violence, and recommended that the subject be submitted to the people for their decision. The minority report recognized the validity of that Constitution. As Michael Hahn and R. King Cutler had not been admitted as members of the United States Senate, Randell Hunt and Henry Boyce were elected senators. On December 4, 1865, J. Madison Wells took the oath as governor-elect of the State, and on December 5 Lieutenant-Governor Albert Voorhies took the chair as presiding officer of the Senate. The president of the Senate preceding him at the extra session had been Victor Burthe. The Speaker of the House was Duncan S. Cage.

The extra session of the Legislature adjourned on December 22, 1865, and the regular session began on January 22, 1866. The Legislature was composed of excellent men, and we see on the roll of the House such names as those of Charles De Blanc, S. P. de Labarre, J. V. Duralde, James B. Eustis, Charles E. Fenner, Benjamin F. Jonas, B. Similien La Branche, George A. Fréret,

John McEnery, James McConnell, Euphémon Roman, F. A. Tête, Bennett P. Voorhies, P. S. Wiltz, and Eugene Waggaman. In the Senate there were Duncan F. Kenner, George W. Munday, T. C. W. Ellis, St. Maurice Bérault, and Felix P. Poché.

The Legislature passed a bill directing that an election be held on March 12, 1866, for mayor and other municipal officers of New Orleans. The date of the election was earlier than that fixed by the charter, as the Legislature thought that it was eminently proper that the municipal government of the city should be again committed to the people. From the time Butler dismissed Mayor Monroe on May 3, 1862, and sent him a prisoner to Fort Jackson, the city had been ruled by officers appointed by the military authorities; and in March, 1866, the mayor of New Orleans was Hugh Kennedy, who had been appointed by General Canby. Governor Wells vetoed the bill with regard to an election for municipal officers, as he believed that there should be a radical revision of the registry and election laws applicable to the parish of Orleans. He said that "for years preceding the rebellion, elections in the parish of Orleans were a cruel mockery of free government," and that "a registry of fourteen thousand names, in the days alluded to, could scarcely furnish one fourth of that number of legal votes at the polls, although six or seven thousand votes were usually returned as cast." He continued: "At this moment it is safe to affirm, there is a larger white population in the parish of Orleans than in all the other parishes of the State combined, and the likelihood, nay, the certainty, is that for years to come the increase will continue to be largely in favor of New Or-

leans." The city, added the governor, would never, with his consent, "be endowed with political power to the transient degradation or lasting injury of the rest of the State." The Legislature did not share the exaggerated fears of Governor Wells and passed the election bill over his veto by an overwhelming vote.

The election for municipal officers of New Orleans was held on March 12, 1866, and John T. Monroe, the candidate of the National Democratic party, was elected mayor. The National Union party elected only a few of their candidates. We are glad to see Monroe again mayor, but he was destined once more to see times of turmoil and to be again removed by military authorities from the office to which he had been elected. As he had not received special pardon according to the proclamation of amnesty, Governor Canby did not permit him to take his seat before May 15, 1866.

The breach between Congress and President Johnson on the question of reconstruction grew wider in the beginning of 1866. The President vetoed the Freedmen's Bureau bill of February, and the Civil Rights bill of March, but the latter was passed over his veto, and led finally to the Fourteenth Amendment, which made of the freedmen citizens of the United States and of the State wherein they resided. The educational feature of the Freedmen's Bureau caused such dissatisfaction in Louisiana that Lieutenant-Governor Albert Voorhies telegraphed to President Johnson that serious disorders would arise if orders for the collection of taxes were not suspended. On April 12, 1866, the President sent the following telegram to the Lieutenant-Governor: <sup>3</sup>

WAR DEPARTMENT, April 12, 1866.

*To Albert Voorhies, Esq.:*

Your telegram was referred to the Secretary of War, who reports that all orders and proceedings for the collection of taxes by the Freedmen's Bureau for purpose of education have been suspended.

ANDREW JOHNSON.

Governor Wells had lost the confidence of the Democrats, and Lieutenant-Governor Voorhies had been requested by the members of the Legislature to take action in everything that concerned the welfare of the State. He proved worthy of the trust confided to him.

A second Freedmen's Bureau bill was passed in July over the President's veto, and Professor Burgess, in his "Reconstruction and the Constitution," gives the following opinion of it:

There is no doubt that the Freedmen's Bureau, with its powers, jurisdiction, and charities, was a far greater source of irritation in the South than was the presence of the United States army. While its superior officers were generally men of ability and character, a large number of subalterns were canting hypocrites and outright thieves. They kept the negroes in a state of idleness, beggary, and unrest, and made them a constant danger to the life and property of the whites, and their veritable tyranny over the white population did more to destroy Union sentiment among the whites and make them regard the United States Government in a hostile light than anything which had happened during the whole course of the rebellion.

The law of July, 1866, was far worse than that of March, 1865, and the Republicans in Congress, in their mistaken



sympathy for the freedmen, were preparing great misfortunes for the white people of the South. The latter, in the "Freedmen's Codes" and vagrancy acts, were attempting to protect themselves against the ignorance and idleness of their former slaves, while the people of the North believed that the freedmen were cruelly treated in the South. An unfortunate incident known as the New Orleans riot happened in July, 1866, and made matters worse between the North and the South.

Louisiana resolved to take the sense of the people on the expediency of calling a convention to form a constitution and to provide for the election of delegates and for the holding of the convention. An act was prepared to this effect, naming the first Monday of May, 1866, as the day for the election of delegates, and the bill had been ordered to be engrossed for the third reading when it was laid on the table. This action was due to the telegrams received from Duncan S. Cage and James B. Eustis, the commissioners sent to Washington by the General Assembly. The telegrams were dated March 8, and were as follows:

After an interview with the President and Secretary of State, we advise no action favorable to a convention.

After interviews with the President and Secretary Seward, we are thoroughly convinced that further agitation of the convention question will seriously embarrass the President's reconstruction policy.

In the act that the Legislature of Louisiana would have passed if these telegrams had not been received,

it was declared that the Constitution of 1864 was the creation of fraud and violence, and not in any sense the expression of the will of the people of the State, which should have an opportunity of being relieved from military rule and the Freedmen's Bureau. It was evident that the convention of 1864 and the delegates that had composed it were not viewed favorably by the members of the Legislature. That body, however, adjourned on March 22, without taking any action on the question of a new constitution. It was the "Radicals" that favored such action. They wanted universal suffrage,—that is to say, suffrage for the blacks and disfranchisement of the whites who had taken part in the Civil War against the United States. As the Legislature had adjourned, and it was not possible to call a new convention, the plan was adopted of reassembling the convention of 1864. This project was based on the following resolution, which had been adopted by the convention of 1864: "That when this convention adjourns, it shall be at the call of the President, whose duty it shall be to reconvoke the convention for any cause, or, in case the Constitution should not be ratified, for the purpose of taking such measures as may be necessary for the formation of a civil government in Louisiana. He shall also, in that case, call upon the proper officers of the State to cause elections to be held to fill any vacancies that may exist in the convention, in parishes where the same may be practicable." As the Constitution had been ratified by the people, and had been in force for two years, the project of reassembling the convention of 1864 was pronounced

absurd by many people in Louisiana and by the press. Judge Rufus K. Howell, of the Supreme Court of the State, was elected president *pro tempore* at an informal meeting held on June 26, and on July 7 he issued an order for the convention to meet on July 30. The president of the convention, Judge Durell, had excused himself from issuing the order. The following letter, written by Lieutenant-Governor Voorhies, explains so well the condition of affairs in July, 1866, that we give it in full: <sup>4</sup>

NEW ORLEANS, July 13, 1866.

*Hon. J. A. Rozier, New Orleans:*

SIR: An informal meeting of members of both branches of the General Assembly was held yesterday for the purpose of deliberating upon the state of our affairs in connection with the reconvoation of the Convention of 1864.

In ordinary times such a proceeding as this move of a small fraction of a body, which itself did not, at any time, represent a serious constituency, would be considered as a solemn farce. But at the present day, when it is believed that the General Government itself is on the brink of a revolution whose object is to pervert or subvert the Constitution, and when it is apparent, nay, even proclaimed, that the revolution to be inaugurated here forms part of the programme of the radical revolutionists at Washington, it becomes a question of prudence not to treat this matter too lightly, but, taking things at the worst, to prepare for all possible emergencies. Such was the unanimous opinion of the members present—members representing a more numerous and genuine constituency than did all the members together of the Convention of 1864. It was decided that a commission should be sent to Washington to confer with his Excellency the President of the United States. Your name, among several other distinguished citizens of Louisiana, was suggested, and upon the first

ballot you were selected by an almost unanimous vote to fill this important mission.

A question which occupied the attention of the meeting was, whether the State government would be left to its own resources to put down the conspiracy which aims at its overthrow (in which event no serious apprehension need be entertained); but inasmuch as martial law is not yet removed under the interpretation officially placed upon the President's Peace Proclamation, it is desirable that information be had as to the possible interference of the military, should any trouble or collision ensue in our midst, and as to the nature and extent of that interference.

The Convention of 1864, providing for the submission of the Constitution to the people for ratification, fearing that their work would not prove palatable to even the limited numbers whose approval was sought, adopted, before adjourning, a resolution that, in that event, the convention would meet again, subject to the convocation of its president. The ratification was effected; elections took place for officers, the judiciary was appointed, and the government thus installed kept undisputed sway over that portion of Louisiana within Federal lines. The war came to an end, and all the territory of the State at once came under the jurisdiction of the new government. The executive, in compliance with Art. 154 of the Constitution of 1864, thereupon ordered a general election to be held in every parish of this State. The people elected governor, lieutenant-governor, secretary of state, auditor, treasurer, attorney-general, and superintendent of public education. A legislature was also elected, and has held two sessions. All the parochial or municipal officers were also elected and installed; the vacant judgeships, supreme and district, were filled; members of Congress were duly elected by the people and the Legislature. In a word, the convention beheld their work consummated beyond their most sanguine expectations. Of a sudden, after the lapse of two years, the public is startled at the appearance of a proclamation reconvoking the defunct convention, and which bears the signature of R. K. Howell, Pres. *pro tem.*!



At an informal meeting of twenty-nine members, it appears that Judge E. H. Durell, the regular president, was deposed, and R. K. Howell, who, by resignation, had ceased to be a member of the convention previous to its adjournment, and who had not, in consequence, signed the Constitution, was thereupon elected president *pro tem*. The regular president is deposed because he refuses to convoke the convention; and he will not resign for the plain reason that as president and as member he is *functus officio*. The president *pro tem*. not only reconvenes the convention, but issues an imperative order to the executive of the State to provide for elections to fill the vacancies in that body. So far, this call has met no response; and, as the governor is absent on a tour on Red River, it is difficult to ascertain his views on the subject. However, since the informal meeting of the conventionists three weeks have elapsed, and two weeks since the issuance of the proclamation of reconconvocation, and no action of the executive has been made public in this connection.

Such are the leading facts concerning the passing strange event. Such a disregard of the plainest rules of law and order, such a preposterous assumption of authority and barefaced attempt at revolution, would be a matter more of surprise and disgust, if it were not that these machinations, impotent in themselves, assume importance from the fact that it is an inspiration from an agency bent upon rule or ruin, and for that purpose determined to paralyze that restoration policy which, in such short time, had made such gigantic progress in healing up past dissensions.

I remain very respectfully,

Your obedient servant,

ALBERT VOORHIES,

*Lieutenant-Governor, Louisiana.*

Judge Abell, who had been a member of the convention of 1864, addressed the Grand Jury, on July 23, on the

subject of the reopening of the convention, and declared such an attempt to be illegal and unconstitutional, and punishable by law. Governor Wells sided with the revolutionists and issued a proclamation, on July 27, for an election to fill vacancies in the convention. Lieutenant-Governor Albert Voorhies was opposed to the movement and to the act of the governor, and so were the other State officers. A meeting was held at the Mechanics' Institute on the very evening on which the governor had issued his proclamation, and the chairman of the meeting was ex-Governor Hahn, who made a very violent speech. Resolutions were adopted approving the proposed reassembling of the convention, by which it was hoped the right of suffrage might be given to the negroes. Several injudicious speeches were made from a platform outside of the building in which Hahn's meeting was being held. Dr. Anthony P. Dostie's speech to a large number of negroes was most violent and incendiary. He said that if the convention was interfered with on July 30 "the streets of New Orleans would run with blood." He also spoke of President Johnson as a traitor.

According to the governor's proclamation, the election to fill vacancies was to be held on September 3; but R. King Cutler, a member of the convention, admitted later that if the convention had had a quorum on July 30 they would have proceeded at once to business. Lieutenant-Governor Voorhies and Attorney-General Herron sent a telegram on July 28 to President Johnson, informing him of the mass-meeting and the violent speeches, and asking him whether the military would interfere with the

process of the court in arresting the members of the convention. The President answered as follows:

WASHINGTON, July 28, 1866.

*Albert Voorhies, Lieutenant-Governor of Louisiana:*

The military will be expected to sustain, and not obstruct or interfere with, the proceedings of the courts. A despatch on the subject of the convention was sent to Governor Wells this morning.

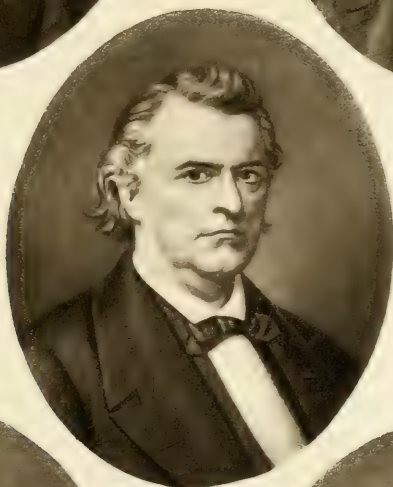
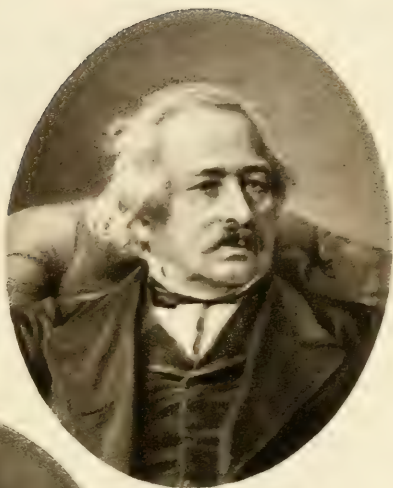
ANDREW JOHNSON.

General Sheridan, commanding the Department of the Gulf, was absent from New Orleans, and Mayor Monroe, on July 25, had written to General Absalom Baird, who commanded in the absence of General Sheridan, and later had called on him with Lieutenant-Governor Voorhies. It had been agreed that instructions should be asked from Washington, and General Baird telegraphed to Secretary-of-War Stanton, and Lieutenant-Governor Voorhies to the President. The lieutenant-governor obtained a reply to his telegram, but General Baird received no communication from Secretary Stanton. The latter did not show the general's despatch to President Johnson, nor did the President show the lieutenant-governor's despatch to the Secretary. The mayor, in his communication of July 25, had announced his intention to break up the convention as unlawful, and General Baird had answered that it was not within the scope of the mayor's duties as a municipal officer to decide the question of the illegality of the assembly; that the governor of the State seemed to be the one called upon to take the initiative in a step of this kind, if it were proper and

necessary; that it was the mayor's duty, as custodian of the public peace, to protect the assembly as long as no disorder was committed; that if he doubted his ability to preserve order, he should call upon him, and he would bring to the mayor's assistance, if necessary, the entire force it was in his power to assemble.

General Baird, in his testimony to a committee of Congress, said that neither the mayor nor the lieutenant-governor asked him for troops, but that Lieutenant-Governor Voorhies called upon him about eleven o'clock on July 30. The general had already seen published in the city papers the President's telegram quoted above, and he informed Lieutenant-Governor Voorhies that he had not yet received instructions from the War Department. With regard to the President's telegram, the difficulty lay in determining which were the legal authorities the military were expected to support and sustain, as Judge Abell, of the State Court, had been arrested by the United States commissioner for his charge to the grand jury denouncing the convention of 1864 as unlawful and for other sentiments expressed by him. In his interview with Lieutenant-Governor Voorhies, General Baird remarked to him that, if he were not afraid that his motives might be misunderstood, he would be glad to post a few men in the street at the distance of one or two squares from the Mechanics' Institute. The lieutenant-governor seemed pleased with this, and the general determined to send to the barracks for four companies. Mayor Monroe, in his testimony before the Congressional Committee, said he had requested the general to send a







small force to the place of assembling, which General Baird had agreed to do. The latter, on the other hand, denied this assertion of the mayor, and the misunderstanding on this point was very unfortunate. The general was under the impression that the convention would assemble at six o'clock, and at twelve he called at the house of Judge Howell, and was told that the latter had gone to the meeting-place. Lieutenant-Governor Voorhies wrote three notes after the interview, two of which the general received, saying that the appearance of soldiers with policemen would be very beneficial. Mayor Monroe himself called on General Baird at two o'clock to inquire when the troops would arrive. The rioting had already begun, and when the troops did arrive, at 2:40 P.M., it was too late to prevent bloodshed. General Baird, a little later, issued an order proclaiming martial law. There is no doubt that the general's responsibility in this affair is very great. He testified that it was his intention to judge of the legality of the decision of the court, if an arrest had been made. If he could assume such power as this, he could certainly have assumed power either to disperse the convention or to protect it. It is probable that he was embarrassed by President Johnson's ambiguous despatch of July 28.

The members of the convention, twenty-five in number, met on July 30 at twelve o'clock, and adjourned to one o'clock. At that time a negro procession comprising about one hundred persons arrived in the vicinity of the Mechanics' Institute. They had fife and drum and a United States flag, and were partly armed. The riot was

occasioned by this procession, according to General Sheridan's report to the President. A shot was fired by a negro in the procession, and the rioting began in front of the building where the convention was assembled. Several negroes rushed into the building; there were some in the hall already. The police, who had been held in readiness by the mayor, arrived on the scene during the rioting, when brickbats were flying. A shot was fired, and there was a fight in the street between the policemen and the negroes. The latter were dispersed, and the policemen, according to some accounts, fired through the windows into the building. They entered afterward into the hall where the convention was assembled, and, losing all discipline, fired upon all the persons they met. A mob of "several hundred rabble from the citizens and some firemen" began to attack the negroes and killed a number who were trying to escape from the building. A white flag had been displayed by the members of the convention; but the policemen, infuriated by the resistance they had encountered in the street and in the building, paid no attention to the token of surrender. Judge Howell and ex-Governor Hahn escaped almost miraculously, and among the mortally wounded was Dr. Dostie, who, though unarmed, had been shot and beaten till he was apparently dead, and thrown into a cart. He died six days later. The number of persons killed, according to General Baird's report, was probably forty-eight, all of whom were negroes, except four, and sixty-eight were severely wounded and ninety-eight slightly.

The New Orleans riots produced great excitement in



Congress, and a committee was appointed to investigate the facts and make a report on the subject. The members of the committee were Thomas D. Eliot, Samuel Shellabarger, and B. M. Boyer. The first two made the majority report, which laid all the blame on the city and State officers and on the former rebels. The President also was said to have "encouraged the heart, strengthened the hand, and held up the arms" of the men who intended to prevent the convention from assembling. The minority report declared that the riot was provoked by the "incendiary speeches, revolutionary acts, and threatened violence of the conventionists," and "that it would be a monstrous injustice to hold the whole people of the State of Louisiana accountable for the acts of those engaged in a riot confined to a small portion of the city of New Orleans." Mr. Boyer spoke harshly of Governor Wells, "who lent to the conspiracy his official sanction, but in the day of danger deserted his post without an effort to preserve public peace." There is no doubt that Governor Wells's conduct was marked by great timidity. He had been in Texas, but returned three days before the riot. On July 30 he was at his office, at the Mechanics' Institute; but he left that building at eleven o'clock, and during the riot he took a car, according to his own statement, and went to his home in Jefferson parish. The lieutenant-governor, on the contrary, acted in a manly and honorable manner.<sup>5</sup>

It is impossible to excuse, in any way, the killing of the negroes on July 30, in New Orleans; but we can understand the feelings of the men of 1866 with regard to the

conventionists, whose purpose was to enslave the majority of the honorable white population of Louisiana, and to give political power to ignorant negroes. Mr. Boyer said, in his minority report, that the members of Congress who were preparing the Reconstruction law were "indirectly responsible for the bloody result." President Lincoln, as soon as the war was over, considered there were neither victors nor vanquished, and his aim was to restore the Union without violent convulsions. His successor had neither his ability, nor his character, nor his influence, and was not able to restrain the men who wished to treat the South as a conquered country.

On August 20, 1866, President Johnson issued a proclamation declaring that the insurrection that had heretofore existed in the State of Texas was at an end. On April 2, 1866, he had declared that "there no longer existed any armed resistance of misguided citizens or others to the authority of the United States" in any of the States that had been in a state of insurrection against the United States. The Republicans in Congress should have remembered the resolution, quoted by the President in his proclamation, which was adopted on July 22, 1861, by the House, and on July 25, 1861, by the Senate, as follows:

That the present deplorable civil war has been forced upon the country by the disunionists of the Southern States now in revolt against the constitutional Government and in arms around the capital; that in this national emergency Congress, banishing all feelings of mere passion or resentment, will recollect only its duty to the whole country; that this war is not waged upon our part in

any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights of established institutions of those States, but to defend and maintain the supremacy of the Constitution and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; and that as soon as these objects are accomplished the war ought to cease.

Of course it may be argued that a destructive war, persisted in by the South long after all hope of success had vanished, might justly modify this purpose to some extent; that as the Southerners had replied to these sentiments with scorn in 1861, they had little right to appeal to them in 1866.

The following interesting letter was addressed to President Johnson by Lieutenant-Governor Voorhies: <sup>6</sup>

NEW ORLEANS, 3d October, 1866.

*His Excellency President A. Johnson:*

SIR: Since the New Orleans riots of the 30th July last, three communications from Governor J. M. Wells have appeared in the press—the first, his “Proclamation to the Loyal People of Louisiana”; the second, his answer to the communication of the Soldiers’ and Sailors’ Association at Washington; and the third, his letter to Thomas H. Jones, Esq., a copy of which is herewith enclosed. These documents, burdened with the Convention of 1864 and its offspring,—the riots in question,—were intended for no other purpose than propagandism for a policy by which the radical element in Congress aims to paralyze the executive department by absorbing all the functions of the government. It is a sad spectacle to behold the executive of a State, but yesterday elected by an unparalleled majority of the people, and to-day charging that very people with perjury and treason. The aspersion thus cast gratuitously and unsparingly shoots in bold relief

when the eye is brought to bear on the infinitesimal constituency which he himself defines as "the small band of Union men in our State."

You understand the solicitude and uneasiness of our people on account of anything emanating from their governor on the subject of the Convention of 1864, more especially since he openly assumes the leadership to subvert the government entrusted to his guardianship, and which his position enables him effectually to assail.

The governor expresses the opinion that it is necessary to have the military force in the State increased for the maintenance of order; but for what kind of order? The order of things consequent upon a complete subversion of the present State and municipal governments, through the agency of the Convention of 1864! However well and peacefully the present State government may go along, the courts open to all and every one, without distinction of color, and the judges themselves holding their commissions from Governors Hahn and Wells, and few of them appointed since the end of the war, that will not answer radical expectations at home!

Whilst upon the subject of the military, let me add that, when it was evident throughout the month of July last that the governor's course would, as it did, lead to riot and bloodshed, application was made in good time, by the attorney-general and myself, to the military here and to yourself in Washington for the purpose of averting the impending catastrophe; and had General Baird, to whom your despatches were handed, obeyed your orders instead of theorizing upon American politics, not a drop of blood would have been shed in the streets of New Orleans.

At that time General Sheridan was absent; two days afterwards he arrived. His official report was swift in finding its way to the War Department; but, up to this day, I have yet to learn that he called upon the civil authorities for whatever information they might possess as to the origin, progress, and responsibility of the riot. The privilege of being heard on such an occasion



might well have been extended as an act of common justice. There seems to be a difference between that order of talents and capacity which will carry through a cavalry general, and the judgment and statesmanship to be expected in the commander of the Gulf Department.

These statements are made openly and frankly; their object is to attract your attention to the peculiarly unfortunate position of our State affairs, with the abiding hope that whatever can be done within the pale of the Constitution will be done by you for the relief of our people.

I remain, very respectfully,

Your obedient servant,

ALBERT VOORHIES,

*Lieutenant-Governor, Louisiana.*

President Johnson referred again to the resolution of July, 1861, in his message of December 3, 1866, and repeated his theory—asserted to be also that of President Lincoln—that the functions of a State were not destroyed by rebellion, but were merely suspended. He deemed it “a subject of profound regret that Congress had thus far failed to admit to seats loyal senators and representatives from the other States whose inhabitants, with those of Tennessee, had engaged in the rebellion.” The senators and representatives from Tennessee had been admitted, as the Legislature of that State had accepted the Fourteenth Amendment. The President argued that, as each house was made “the judge of the elections, returns, and qualifications of its own members,” and might, “with the concurrence of two thirds, expel a member,” there could be no just ground of apprehension that persons who are disloyal shall be clothed with the powers of legis-

lation. Congress paid no attention to the words of the President, and in December, 1866, passed a bill establishing suffrage without regard to color in the District of Columbia. The President vetoed the bill, but Congress passed it over his veto in January, 1867. In February, 1867, Congress passed a bill "to provide for the more efficient government of the rebel States." The ten States named in the bill—all the former Confederate States except Tennessee—were divided into five military districts, to the command of each of which an officer of the army, not below the rank of brigadier-general, should be appointed. He was to be supported with an efficient military force, and his duties and authority were "to protect all persons in their rights of person and property, to suppress insurrection, disorder, and violence, and to punish or cause to be punished all disturbers of the public peace or criminals." The commander "may allow local civil tribunals to try offenders," and "he shall have power to organize military commissions or tribunals." President Johnson said in his veto message of March 2, 1867:

The power thus given to the commanding officer over all the people of each district is that of an absolute monarch. His mere will is to take the place of all law.

The fifth section [said the President] declares that the preceding sections shall cease to operate in any State where certain events shall have happened. These events are, first, the selection of delegates to a State convention by an election at which negroes shall be allowed to vote; second, the formation of a State constitution by the convention so chosen; third, the inserting into the

State Constitution of a provision which will secure the right of voting at all elections to negroes and to such white men as may not be disfranchised for rebellion or felony; fourth, the submission of the Constitution for ratification to negroes and white men not disfranchised, and its actual ratification by their vote; fifth, the submission of the State Constitution to Congress for examination and approval, and the actual approval of it by that body; sixth, the adoption of a certain amendment to the Federal Constitution by a vote of the Legislature elected under the new Constitution; seventh, the adoption of said amendment by a sufficient number of other States to make it a part of the Constitution of the United States.

And President Johnson ended his veto message as follows:

While we are legislating upon subjects which are of great importance to the whole people, and which must affect all parts of the country, not only during the life of the present generation, but for ages to come, we should remember that all men are entitled at least to a hearing in the councils which decide upon the destiny of themselves and their children. At present, ten States are denied representation, and when the Fortieth Congress assembles on the fourth day of the present month, sixteen States will be without a voice in the House of Representatives. This grave fact, with the important questions before us, should induce us to pause in a course of legislation which, looking solely to the attainment of political ends, fails to consider the rights it transgresses, the laws which it violates, or the institutions which it imperils.

Congress had passed, at the same time with the Reconstruction bill, the Tenure-of-office bill, which brought about the conflict between President Johnson and Edwin M. Stanton, his Secretary of War, and the impeach-

ment proceedings against the President in 1868. Congress passed also, on March 2, 1867, a supplementary Reconstruction bill, ordering the commanders of the military districts to cause to be made "a registration of the voters who shall be citizens of the State, twenty-one years old and upward, of whatever race, color, or previous condition, who have been residents of said State for one year." No one could be registered "who may be disfranchised for participating in the rebellion," and an oath of loyalty had to be taken by every person applying for registration. The commanding general of each district was ordered "to appoint as many boards of registration as may be necessary, consisting of three loyal officers or persons." Elections were to be ordered by the generals for delegates to constitutional conventions, and "such should be held only when a majority of the inscribed electors voted upon this question, and a majority of those voting voted in the affirmative." The constitutions framed by the conventions were to be ratified by a majority of the registered voters, and copies transmitted to Congress through the President. Congress would then admit the senators and representatives from the "rebel States," if it was satisfied that the elections had been perfectly free and legal. Such were the laws enacted in 1867 by a Republican Congress for the government of the Southern States. The result was misgovernment of the worst kind, and the Reconstruction acts have justly been called monstrous. They brought about a state of affairs in the South which was a disgrace to the whole country.



## CHAPTER IV

### SIX YEARS OF RECONSTRUCTION 1867 TO 1873

Protest against the Reconstruction acts—Views of Southern governors—Removals from office by military commanders—The Constitution of 1868—Governor Henry C. Warmoth—Secret societies—The Fifteenth Amendment—Extravagance of the Legislature—Dissensions among the politicians—Election of 1872—The Lynch Returning-Board—Durell's midnight order—A dual government—President Grant recognizes the Republican government.



NEW session of the Legislature of Louisiana began on December 28, 1866, and Governor J. Madison Wells recommended in his message the ratification of the proposed Fourteenth Amendment, which he believed to be just and proper. He

added that he "considered it to be within the province and to be the duty of Congress to require of those States, as additional guarantees, that they shall, by constitutional enactments, recognize and establish equal political rights, in the privilege of the ballot, to all men." Governor Wells, whose conduct during the riot of July, 1866, had been far from creditable, was parting more and more from the party that had elected him, and from the members of the Legislature, who were men of courage and honor. The latter, by a unanimous vote, refused

to ratify the amendment submitted to them. The Legislature returned to its favorite idea of calling a convention to revise the Constitution of 1864, but the passage of the Reconstruction bill by Congress changed the situation in Louisiana so considerably that new measures had to be resorted to. Joint resolutions were adopted by the Senate and the House protesting against the enforcement of the new law and instructing the attorney-general of the State to take immediate steps to test the validity of the law in the Federal courts, as "the people of the aforesaid ten States owe to themselves and to their posterity to interpose all legal obstacles to the enforcement of a law which in its consummation must inevitably subvert their liberties and ultimately the liberties of the other States of this Union." Governor Wells, as was to be expected, vetoed the resolutions and assumed authority to declare in a proclamation that the Reconstruction act was in force in Louisiana, and that all elections held henceforth in the State were void and of no effect except in strict conformity with the act of Congress. Louisiana and Texas formed the Fifth Military District, but no commander had yet been appointed. General Sheridan assumed the authority conferred on the district commanders, and declared that an election which was to be held in New Orleans on March 11, 1867, should not take place. It was feared that there would be serious disturbances if the negroes attempted to vote. Governor Wells had become so distasteful to the majority of the white people in the State that memorials were read in the House praying for his impeachment on charges of

having been a defaulter as State tax-collector in 1840, and having assumed unwarranted authority. Nothing was done in the matter, as General Sheridan assumed command, on March 19, 1867, of the Fifth Military District, to which he had been appointed by President Johnson.

On March 6, 1867, Lieutenant-Governor Voorhies addressed a letter to each of the governors of the States about to be "reconstructed," suggesting the policy of testing the Military act in the courts of the United States. Governor J. N. Throckmorton, of Texas, on March 13, approved of the proposed policy, but added:

Whilst such is my opinion, I believe that the Radicals in each one of the Southern States will call conventions, and elect State officers, and that their action will be recognized by Congress and enforced by the bayonet. And in view of this, to my mind, certain result, either under the law as it now is, or in pursuance of further immediate legislation by Congress, the most serious and grave question for us to determine is, whether the conservative masses shall take the initiative and control the conventions that may meet in accordance with the law. In your State I am fearful you could not control. In ours, the chances are that we can. But such action is of doubtful propriety and should not be adopted except as a last resort. I apprehend that the Military law will be followed by other legislation requiring this course. Should conventions meet, elected under present circumstances, and refuse to harmonize with the acts of Congress, it would be conclusive as to the intention of the people of the South. In the event of conventions meeting, it is all important that their action be the same in all States. In these times of revolution the events of a few hours or days may require a change of views as to the propriety of proposed action.

Lieutenant-Governor Voorhies answered Governor Throckmorton that the difficulty in Louisiana was that Governor Wells was not only in favor of the Military bill but had in hot haste issued a proclamation assuming to enforce it, when the act of Congress had not even been promulgated. He had also vetoed a bill having in view the testing of the constitutionality of this law. The lieutenant-governor concluded his letter as follows:

Whilst we take steps to reserve and secure what we conceive to be our rights, and limit our resistance to proceedings in the Federal courts, we have not been unmindful of the fact that, meanwhile, the progress and impetus of events may be such as to foil us in our judicial remedy. We conceive that it is the true policy of the people, whilst the public functionaries are reporting to the tribunal of the country, not to let the organization of the coming State government fall under the control of the so-called Southern loyalists. We feel confident that these patriotic gentlemen can be badly defeated in our State, notwithstanding their expectation of the support of the colored people. The conservative masses, leaving aside the disfranchised, are largely in the majority here; and should we fail in the United States Supreme Court, we would yet fall back upon a conservative State Government reared in our midst, and thereby avoid the sad fate of Missouri and Tennessee.

Our policy I conceive to be twofold: the State functionaries cannot resign or abandon their sacred trust, and must resort to legal remedies to obtain redress; whilst, on the other hand, our whole people must have themselves registered under the Military bill and turn out in force to control the elections and take charge of the organization of the State government. This policy is of easy pursuance, since the Military bill purposes to build a State government in our midst without the agency of the present government.



Governor D. S. Walker, of Florida, on March 18, wrote that he would "cordially coöperate with the other proscribed States in the endeavor to have the Military bill tested before the Supreme Court."

Governor R. M. Patton, of Alabama, on March 27, thought it was unwise to contend longer against the powers of Congress, or struggle further against its repeatedly expressed will.

Governor James L. Orr, of South Carolina, wrote on March 29:

I have very little hope that the Supreme Court would furnish us any relief. If they should make a decision contrary to the political sentiments of the party who have passed the Sherman bill and supplement, I have not the slightest doubt that President Johnson would be impeached and removed, and the court be reconstructed by the addition of new judges to be nominated by Mr. Wade, who would see to it that their political sentiments were in unison with the party which he represents. Again, I think it very doubtful, indeed, whether any decision can be obtained from that tribunal until after the elections have been held and the conventions in the several States have met and adopted constitutions. I am therefore inclined to the opinion that it is our true policy—since the Radical party have laid down the proposition unmistakably, that we are conquered territories and not States of the Federal Union, and they have the same right to dictate to us terms as a foreign conqueror would have done, and certainly to the interest of the mass of our fellow-citizens—to accept the Sherman bill. Let those who are not disfranchised see that they are properly registered; convince the colored population that their interest is identical with that of the white in the South, and through their aid secure conservative delegates, and as far as possible conservative constitutions, for their respective States.

It is true that quite a number of our ablest and most distinguished men are disfranchised, but it is better perhaps that they, as well as more humble persons, amongst whom is your servant, should submit patiently to this great wrong and thereby avert greater calamities, which I believe are in store by the Radical party for the mass of our fellow-citizens in the event of the rejection of the Sherman proposition.

Governor Jonathan Worth, of North Carolina, on March 29, wrote that his Council of State unanimously recommended that, "under existing circumstances," it would be best the State should not become a party. "In thus declining to coöperate with Louisiana in the judicial proceedings contemplated, I beg to assure you of my sympathies, and the sympathies of my people, for those whom you represent in this, the hour of their mutual trial, and it must be a consolation to you, as it is to me, to feel that, while we are powerless to avert from them the impending evil, it is our privilege to suffer and endure with them the same calamities."

Governor Charles I. Jenkins, of Georgia, who had been in Washington, answered, on April 29, that he was not sanguine that anything would come of the course adopted for relief.

The feeling of the people of the South with regard to the condition of affairs after the passage of the Reconstruction acts is well expressed in the following words of a letter written to Lieutenant-Governor Voorhies by Governor Throckmorton, of Texas, dated April 1, 1869:

In my humble judgment, no greater demand was ever made upon patriotism than that now required of us. Every man should

feel that his country is in greater peril than if it was girdled around with hostile armies ready to butcher and destroy. In such case, life and property are threatened. But now, not only property, but liberty, and an overthrow of the forms of government, with a social and political degradation that makes the heart sick.

Dignified submission to the new law was counseled by some of the most influential men in Louisiana, among others by General Beauregard; and the General Assembly, in an address to the people, exhorted them to exercise a spirit of extreme tolerance and forbearance, and to use all fair and legitimate means to elect trustworthy men to office. The Legislature adjourned soon afterward. It was succeeded by several General Assemblies of a very different type, which were both grotesque and sinister.

On March 27, 1867, General Sheridan removed from office Attorney-General A. S. Herron, Mayor John T. Monroe, and Judge Edmund Abell. In a report to General Grant, the district commander spoke very harshly of these three men. He spoke similarly of Governor Wells, in a telegram to Secretary Stanton, when he removed the governor from office on June 3, 1867. His criticism of the latter was correct, but not of Monroe, Herron, and Abell. He declared that Governor Wells had made himself an impediment to the faithful execution of the act of Congress. The deposed governor protested against the action of the general, and disputed the latter's right to remove him from office, whereupon General Sheridan wrote to him:

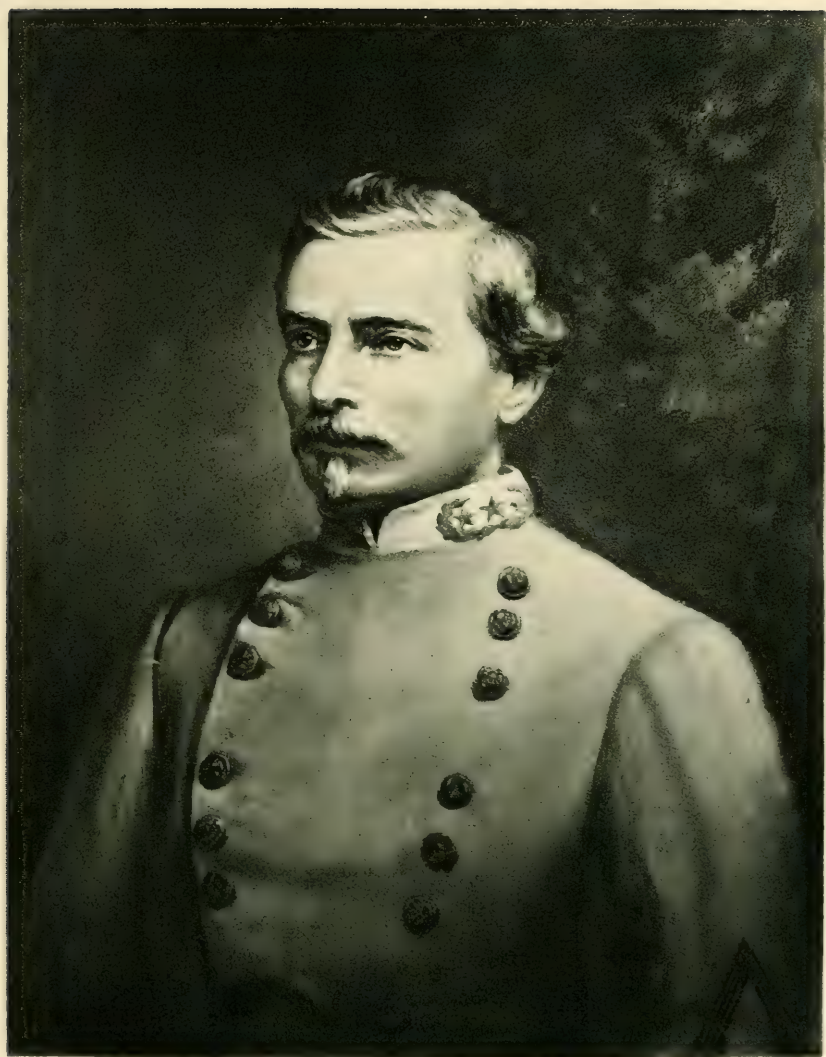
I therefore send Brevet Brigadier-General James W. Forsyth, of my staff, to notify you that he is sent by me to eject you from

the governor's room forcibly, unless you consider this notification as equivalent to ejection.

General Sheridan, by these rude words and by his despotic course, proved the correctness of President Johnson's prophecy that the district commanders would be absolute monarchs. Thomas J. Durant had been appointed governor, but he declined the office, and the general appointed Benjamin F. Flanders, who accepted. Edward Heath was appointed mayor of New Orleans.

A registration of voters was held under the new law, and on July 31, 1867, when the district commander ordered it to cease, the whole number of voters registered was 127,639, of whom 44,732 were whites and 82,907 colored. These figures indicated what was to be the fate of Louisiana with such an electorate. In September an election was held for delegates to the convention, and on the question of holding the convention. The vote for a convention was 75,083; against, 4006. General Sheridan, after the removal of Governor Wells, removed from office twenty-two aldermen and assistant aldermen of the city of New Orleans, the chief of police, the treasurer, the city attorney, the city surveyor, and several other city officials. He removed also officials in the country parishes, and declared that only those persons could be jurors who were duly registered voters. General Sheridan had been an able and brave officer during the Civil War, but his administration in Louisiana as district commander was extremely despotic and tyrannical,







and President Johnson acted wisely when he transferred him to the Department of the Missouri.

General George H. Thomas was assigned to the Fifth District, but on account of his health he was retained in the Department of the Cumberland, and General Winfield S. Hancock was appointed to the command of the Fifth District. As General Sheridan had been ordered to proceed to his new post, and General Griffin, the next officer in rank, had died, General Joseph A. Mower acted as district commander pending the arrival of General Hancock. The new commander followed the example of his predecessor and proceeded to make wholesale removals of State and city officials and judges of district courts, as being "impediments to reconstruction under the laws of Congress." Among the officials removed were Lieutenant-Governor Voorhies, and Sheriff Harry T. Hays, who had been a gallant Confederate general during the Civil War. General Mower was influenced greatly by the Republican politicians in Louisiana, and was not sustained by the general of the army. General Grant ordered him to suspend the removals until General Hancock's arrival, and several of the officers removed were reinstated, among them Lieutenant-Governor Voorhies.

General Hancock assumed command of his district on November 29, 1867. He was a Democrat, and a very different man from Generals Sheridan and Mower, and his administration was mild and sensible. He indicated his purpose to respect the liberties of the white people, and declared that he regarded the maintenance of the civil authorities in the faithful execution of the laws as the

most efficient means to preserve peace and quiet in the department. General Hancock revoked General Sheridan's order relative to jurors, and said that the qualifications of a juror, under the law, were a proper subject for the decision of the courts. "The commanding general," he added, "in the discharge of the trust reposed in him, will maintain the just power of the judiciary, and is unwilling to permit the civil authorities and laws to be embarrassed by military interference."

The convention met on November 23, 1867, and adopted a constitution on March 7, 1868. The president of the convention was J. G. Taliaferro, and a great majority of the delegates were negroes. The Constitution of 1868 was the first in the history of Louisiana with a bill of rights. There were articles embodying the principles of the Thirteenth and Fourteenth amendments with regard to slavery and to citizenship in the State, and one with regard to public conveyances and public places which were to be opened to all persons without distinction or discrimination on account of race or color.

The Legislature was to meet annually. No person was eligible to the office of governor or lieutenant-governor who was not a citizen of the United States and a resident of the State two years next preceding his election. The governor was ineligible for the succeeding four years after the expiration of his term of office. His salary was eight thousand dollars per annum; that of the lieutenant-governor three thousand dollars. The judicial power was vested in a supreme court, district courts, parish courts, and justices of the peace. The



following general provisions gave the right of suffrage to colored citizens, and disfranchised a large number of whites:

Article 98. Every male person, of the age of twenty-one years or upwards, born or naturalized in the United States, and subject to the jurisdiction thereof, and a resident of this State one year next preceding an election, and the last ten days within the parish in which he offers to vote, shall be deemed an elector, except those disfranchised by this Constitution, and persons under interdiction.

Article 99. The following persons shall be prohibited from voting and holding any office: All persons who shall have been convicted of treason, perjury, forgery, bribery, or other crime, punishable in the penitentiary, and persons under interdiction. All persons who are estopped from claiming the right of suffrage by abjuring their allegiance to the United States Government, or by notoriously levying war against it, or adhering to its enemies, giving them aid and comfort, but who have not expatriated themselves, nor have been convicted of any of the crimes mentioned in the first paragraph of this article, are hereby restored to the said right, except the following: those who held office, civil or military, for one year or more under the organization styled "The Confederate States of America"; those who registered themselves as enemies of the United States; those who acted as leaders of guerilla bands during the late rebellion; those who, in the advocacy of treason, wrote or published newspaper articles or preached sermons during the late rebellion; and those who voted for and signed an ordinance of secession in any State. No person included in these exceptions shall either vote or hold office until he shall have relieved himself by voluntarily writing and signing a certificate setting forth that he acknowledges the late rebellion to have been morally and politically wrong, and that he regrets any aid and comfort he may have given it; and he shall file the certificate in

the office of the Secretary of State, and it shall be published in the official journal. Provided, that no persons who, prior to the first of January, 1868, favored the execution of the laws of the United States popularly known as the Reconstruction acts of Congress, and openly and actively assisted the loyal men of their State in their efforts to restore Louisiana to her position in the Union, shall be held to be included among those herein excepted. Registrars of voters shall take the oath of any such person as *prima facie* evidence of the fact that he is entitled to the benefit of this proviso.

The most offensive part of article 99 was that which required a certificate acknowledging that the Civil War was morally and politically wrong. The proviso removing the disabilities of those who favored the execution of the Reconstruction acts was certainly extraordinary. Before entering upon the duties of their office all officers had to take an oath "to accept the civil and political equality of all men, and agree not to attempt to deprive any person or persons, on account of race, color, or previous condition, of any political or civil rights, privilege or immunity enjoyed by any other class of men."

The public records, the laws, and the judicial and legislative proceedings were to be promulgated in the English language, and the public exercises in the public schools to be conducted in that language. The salary of the State superintendent of education was to be five thousand dollars per annum.

All departments of the university to be established in New Orleans were to be open to all students,—that is to say, to colored students as well as to whites.

An election was to be held on April 17 and 18, 1868, for the ratification of the constitution, and to establish civil government.

General Hancock continued to act with moderation as military commander. He reinstated several of the officials who had been displaced by his predecessors, and on February 5, 1868, removed from office the street commissioner for the city of New Orleans, against whom charges of malfeasance in office had been made, and the recorder for the second district, whom the Supreme Court had declared ineligible. The general removed also nine members of the City Council who had voted to hold an election for recorder, contrary to General Sheridan's order that no elections be held without the authority of the military commander until the reconstruction of the State had been accomplished. General Grant did not sustain General Hancock's action in the matter of removals, and ordered the reinstatement of the members of the City Council and of the street commissioner. General Hancock asked to be relieved of his command, and his request was granted on March 18, 1868. General Robert C. Buchanan was assigned to the command of the district, and he ordered the election specified in the constitution to be held. There were 51,737 votes for the constitution, and 39,076 against it. Henry C. Warmoth was elected governor, and Oscar J. Dunn, a negro, lieutenant-governor. Governor Warmoth was born in Illinois in 1842. He had been an officer in the National army, and had been appointed by General Banks judge of the Provost Court of the Department of the Gulf. Benja-

min F. Flanders, who had been appointed governor by General Sheridan on the removal of Governor Wells in 1866, had resigned the office, and General Hancock, in January, 1868, had appointed Joshua Baker in his stead. Governor Baker was a Democrat, but had opposed secession. At the election held on April 17 and 18 John R. Conway was elected mayor of New Orleans by the Democrats; but General Sheridan's appointee, Mayor Heath, argued that the election had not been authorized by the convention, and declined to surrender his office. General Buchanan had him arrested, and he finally gave way to Mayor Conway in June, 1868.

General Grant instructed General Buchanan to appoint to their respective offices the individuals who had been elected in April, and who in November would enter upon their duties by virtue of their election. The Legislature met on June 27, 1868, and an attempt was made to exclude the Democratic members. General Buchanan had announced that, in the opinion of General Grant, the members of the Legislature should not be required to take any other oath than that ordered by the constitution. However, Lieutenant-Governor Dunn and the temporary chairman of the House (who also was a colored man) announced that the members should take the test oath. General Buchanan, on June 30, sent a communication to Dunn, inclosing Grant's telegram on the subject. Dunn and the Republicans persisted in requiring the test oath, and on July 1 there was great excitement in New Orleans. The people demanded the admission of the Democrats, and the Republicans abandoned their



requirement of the test oath, in deference, they said, to the opinion of General Grant. There were in the Senate twenty Republicans and sixteen Democrats; in the House, fifty-six Republicans and forty-five Democrats. The Legislature, on July 9, 1868, ratified the Fourteenth Amendment. It also elected as United States senators William P. Kellogg and John S. Harris. On July 13 Governor Warmoth delivered his inaugural address before the General Assembly. He said he did not appear as a partisan, and ended his address with the following words:

Cursed for our sins with war, scourged with the epidemic, our crops blighted for a succession of years, our fair State overflowed by the torrents of the Mississippi, commerce paralyzed, the people impoverished, the event of my inauguration is welcomed by the full restoration of civil government and readmission into the Union, the fairest prospect for crops, receding floods, and improving credit! Let us vie with each other in seeing who of us shall receive most blessings for good and faithful service rendered the State.

Governor Warmoth may have had good intentions on July 13, 1868, but his administration proved to be as disastrous to Louisiana as the scourge of the epidemic and the torrents of the Mississippi, and neither he nor his associates have ever received blessings for their "good and faithful services." Lieutenant-Governor Dunn, on being introduced to the Senate, said that the fact that the Senate was presided over by a man of his race, "one who had ever been kept in obscurity," showed the progress which had taken place in the Southern States—"a

progress more rapid than that of the Northern States, east or west." He said, further, that he and his people were not seeking social equality, "a thing no law can govern." They simply asked to be allowed an equal chance in the race of life. Dunn's words were very sensible, and there is no doubt that if they had been left to themselves the newly enfranchised negroes would have done little harm as citizens. Dunn's words to the Senate were probably his own; his act in trying to disfranchise the Democrats in the Legislature had been, without doubt, inspired by intriguing white politicians.

On being informed of the ratification of the Fourteenth Amendment, General Buchanan announced on July 13, to the people and to his troops, that the provisions of the Reconstruction acts ceased to operate in Louisiana, and that the military authority would no longer be exercised under the Reconstruction acts. He said the late election had been marked by peace and quiet, and he congratulated the people upon the full restoration of Louisiana to the Union. The Fifth Military District was restricted to Texas alone, and Louisiana and Arkansas formed the Department of Louisiana, which was under the command of General Buchanan.

The Legislature passed in 1868 the Metropolitan Police bill, which placed in the hands of the governor a guard that was used later in a despotic manner. On the board of five police commissioners Governor Warmoth appointed three colored men. But the governor vetoed the "social-equality bill" which had been passed by the Leg-

islature in spite of Lieutenant-Governor Dunn's remarks on the subject.

The campaign for the election in November of Presidential electors and members of Congress opened in September, and a convention of the Democratic party met in New Orleans. A report was adopted which gave a clear and forcible account of the condition in which Louisiana was placed by the alliance of the negroes with adventurers from other States:

These men seem to labor but for two objects—to perpetuate their own power, and to devise new and hitherto unheard-of schemes for plundering the State. They have created about two hundred new offices, with enormous salaries, and have increased and, in most instances, doubled the salaries of the old ones. Under this profligate legislation the public debt is daily increased at a fearful rate; the public credit is utterly ruined, and the ability of the people to support the enormous taxation levied upon them, by men who pay no portion of it, constantly diminishing. Nor is this all. The white people of the State, smarting under a sense of wrong, groaning under an almost intolerable load of taxation, seeing their money daily squandered to enrich needy adventurers, while they are in the same proportion impoverished and ruined, are becoming hourly more restless, discontented, and hopeless of the future.

Some disturbances took place in the northern parishes, and Governor Warmoth forthwith sent a letter to President Johnson, saying he believed that a bloody revolution was meditated in Louisiana. He referred to the "sect" of the "K. W. C." (Knights of the White Camellia), whose purpose, he said, was to keep the colored peo-

ple in a condition of inferiority; and he spoke of the murders which he said had been committed in the State. He requested the President to put some United States troops under the command of a competent officer, with orders to coöperate with him in repressing violence and disorder. Governor Warmoth was beginning that unfortunate policy of calling for troops which was to keep the white men of Louisiana in bondage for eight years. Serious disturbances occurred in Louisiana in 1868—at New Orleans on September 22, at St. Landry on September 28, and elsewhere; but the disturbances and regrettable excesses were caused by the attempt to place the white men under the control of the colored men.

The Knights of the White Camelia were called also the Caucasian Club. They affirmed the superiority of the white race over the black, and said they united to resist the coalition of the Radical party, the freedmen and the colored population of the whole Republic against the white race. The "K. W. C." were a secret society, and were the forerunners of the celebrated "White League," which was to fight openly in 1874 for white supremacy and to conquer it definitely in 1877. The colored men also were organized into secret bodies, known as the Union or Loyal League. They were kept in a state of terror by the "K. K. K.s" (the Ku-Klux-Klan), an organization which, it is said, appeared first in Giles County, Tennessee, for the purpose of playing practical jokes upon the negroes. The Ku-Klux later committed many excesses to prevent the colored men from voting or holding office. The Reconstruction policy had arrayed



the white and black races in two camps opposed to each other. It was evident that in the end victory would be with the whites, and that they would regain control of affairs in the Southern States,—peaceably if they could, forcibly if they must.

Many Republicans believed that the former Confederates would replace the negroes in a state akin to slavery, if the men who had freed them did not protect them. The vagrancy law, or “Negro codes,” passed in 1865 by several Southern States, led to the adoption of the Reconstruction act of 1867, but such an act was not necessary.

In his message to the Legislature on January 4, 1869, Governor Warmoth referred to what he called the “most disgraceful acts of intimidation” practised by the former governing class during the late political campaign, which had resulted in giving the electoral votes of Louisiana to Seymour and Blair. He said the total bonded debt of the State was \$6,777,300, which could be reduced at once to \$6,000,000, and the total floating debt \$1,929,500.62, for the entire payment of which the Legislature had passed an act levying a special tax of one per cent. on the movable and immovable property of the State. “Our debt,” he said, “is smaller than that of almost any other State in the Union.” Before the end of the Warmoth administration the debt had become immense. The governor wisely recommended the abrogation of the 99th article of the Constitution, which practically disfranchised many citizens. The article was abrogated in 1870 by an amendment to the Constitution of the State. The

Fifteenth Amendment to the Constitution of the United States was ratified by the Legislature in February, 1869. The amendment is as follows: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." This was only making obligatory throughout the Union the effect of the Reconstruction act of 1867, which had imposed negro suffrage upon the people of the South.

In 1870 a new charter was given to the city of New Orleans. The system of aldermen and assistant aldermen was abolished, and a department or bureau system was substituted for it, with seven administrators and a mayor. Benjamin F. Flanders was elected mayor,—or rather he was declared elected by the returning board. The Legislature in 1869 had been reckless in making appropriations for various schemes, and Governor Warmoth vetoed several of these bills in January, 1870. Other financial schemes were being prepared in 1870, and a mass meeting was held in New Orleans on January 28 to condemn the extravagance of the Legislature. The city debt was declared to be seventeen million dollars, and the State debt twenty-eight million dollars. The latter had increased wonderfully in about a year, and the State appeared to be marching rapidly to ruin.

Governor Warmoth seemed to be trying to obtain for himself almost despotic power, and on the establishment of the Eighth District Court in New Orleans, with exclusive jurisdiction in cases of mandamus and injunction, he appointed as judge of that court Henry C. Dibble,

who approved and sanctioned all the acts of the administration.<sup>1</sup> The governor made charges of extortion against the State auditor, George M. Wickliffe, and the latter, after a trial for impeachment, was convicted and removed from office. At the election in November, 1870, four amendments to the Constitution were adopted: The first abrogated the 99th article, that on disfranchisement. The second limited the State indebtedness, up to the year 1890, to twenty-five million dollars. The third disqualified for voting or holding office all public officials until they had receipts in full from the proper authorities for the funds they had held. The fourth allowed a governor to succeed himself.

On November 30, 1870, the State auditor estimated the debt of Louisiana to be more than forty million dollars, including obligations of the State to issue bonds for fifteen million dollars, and outstanding certificates and warrants. The expenditures for the past year had exceeded the receipts by nearly five hundred thousand dollars. In 1871 the financial condition was still worse, the excess of disbursements over receipts being almost nine hundred and sixty-one thousand dollars. The expenses of the General Assembly in 1871 were enormous: of the Senate \$191,763.85, and of the House \$767,192.65, "an average cost, says the 'Annual Cyclopædia,' of fifty-three hundred dollars for each Senator, and seventy-three hundred dollars for each member of the House, or an average of more than sixty-eight hundred dollars for each member of the entire body, or of one hundred and thirteen dollars and fifty cents a day for each member during the

session." In a message, Governor Warmoth spoke as follows of these monstrous acts:

A careful calculation of the expenses of the General Assembly for mileage and *per diem*, even at the enormous rate of twenty cents per mile, each way, shows that the total expenses ought not to exceed \$100,000 for the sixty days of the annual session, and the legitimate contingent expenses of both houses ought not to exceed \$25,000. Then what has become of the excess, \$833,-956.50? It has been squandered by the officers of the Assembly in paying extra mileage and *per diem* of members for days' services never rendered; for an enormous corps of useless clerks, pages, etc.; for publishing the journals of each house in fifteen obscure newspapers, some of which have never existed, while some of those that did exist never did the work they were employed to do, although every one has received the compensation for it; in paying committees authorized by the House to sit during vacation, and to travel throughout the State and into Texas, and in a hundred other different ways. The enrolment committee of the House had over eighty clerks, most of whom were under pay during the whole session, at eight dollars per day, during which time only one hundred and twenty bills were passed, which did not require more than eight or ten clerks to perform the whole labor of enrolment.

These words, from the first civil Republican governor of Louisiana under Reconstruction, testify to the utter corruption of those who formed the majority of the Legislature. Many of these members were ignorant negroes, who were led politically by white adventurers and were unable to resist the offer of bribes from speculators. Governor Warmoth obtained an injunction from Judge Dibble restraining the auditor from paying warrants



against appropriations made to meet the expenses of the Legislature, and forgeries and robberies of all kinds were discovered to have been committed. But no one was punished, and the plundering of the State continued.

In 1871 dissensions arose among the Republican politicians, headed on one side by Governor Warmoth and P. B. S. Pinchback, a colored man, and on the other side by United States Marshal S. B. Packard and Speaker of the House George W. Carter. Two State conventions were held in New Orleans in August—one by the Packard men in the United States Circuit court-room, in the Custom-house, and the other by Governor Warmoth and his faction in Turner's Hall. The Custom-house was guarded, on August 10, by United States troops with two Gatling guns, and Packard was protected by them. Warmoth's convention severely denounced the Custom-house convention, and the governor himself denounced the Federal office-holders and accused the Speaker of "corruption, dishonesty, and licentiousness." Mr. Carter, in his turn, asserted that "the governor received bribes, and was the greatest living practical liar." Both factions sent messages to President Grant to explain the situation, and the Warmoth men sent delegates to make a verbal report.

Governor Warmoth, at the end of 1871, was still more powerful than his opponents, and, Dunn having died on November 22, the governor called the Senate in extra session and succeeded in having his partisan Pinchback elected president of the Senate and *ex-officio* lieutenant-governor.

In the beginning of January, 1872, the Legislature, controlled by Speaker Carter, excluded from their seats several representatives of the Warmoth faction, and the governor himself, with several of his supporters, was arrested and taken before the United States marshal on a charge of interfering with the organization of the House. They were released on bail of five hundred dollars each, and Governor Warmoth called an extra session of the Legislature to meet at once. The House ousted Mr. Carter from the Speaker's chair, and elected O. H. Brewster to succeed him. There was no quorum in the Senate, and some of the members were said to be kept on board the revenue cutter *Wilderness*. Carter and his adherents assembled over the Gem saloon in Royal Street as the legal House of Representatives, and on January 6, 1872, there were two bodies which claimed each to be the House of Representatives. Carter and his adherents refused to obey proclamations of the governor and a writ of habeas corpus from Judge Dibble, and on January 7 one of Warmoth's men was killed in the street. The governor, on January 10, dislodged Carter's House from their quarters at the Gem saloon, and they went first to Packard's office in the Custom-house and then to the Cosmopolitan Club. On January 22 Carter appeared before the Mechanics' Institute with several thousand men, to take possession of the building. But General Emory did not allow any conflict to take place, and as the Senate had obtained a quorum by the appearance of the members who had been detained on the *Wilderness*, Warmoth's Legislature was completed. Carter's men reën-

tered the fold, and the governor was victorious. The whole conflict was burlesque, in spite of its tragic importance for the State of Louisiana, which saw itself in the hands of adventurers and freedmen. Congress appointed a committee to go to New Orleans to investigate the conduct of the Federal officials and the doings of the two rings. In their report, three of the members of the committee said the matter was a quarrel between Republican factions, in which the Democrats took part, in alliance sometimes with one, and sometimes with the other, according to their interest. Two members of the committee, Mr. Spear and Mr. Archer, said it was a quarrel between political rascals and adventurers, and that Louisiana would soon free herself if there was a fair and honest election. They made the following statements, which narrate but too well the unfortunate history of Louisiana at that time:

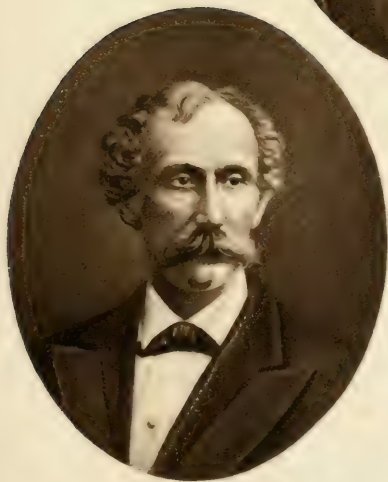
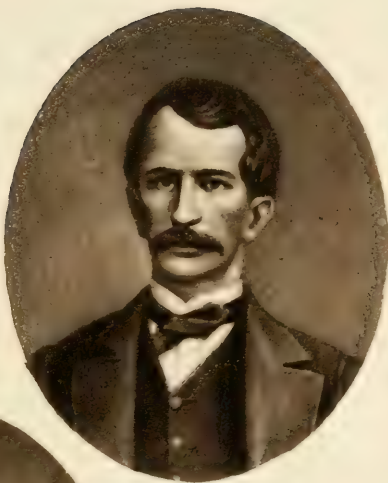
A series of infamous laws had been passed, placing imperial powers in the governor's hands, which he had used with a reckless disregard of the interests of the people and with the double purpose of enriching himself and his friends, and of perpetuating his control of the State. Himself but a recent resident of Louisiana, he had gathered around him a swarm of adventurers from all sections, destitute alike of either personal or political integrity, and was fattening himself and them upon the plunder wrung from the property and toil of the people. Under the law, elections were a farce. The governor appointed the registrars, and through them returned his friends to the Legislature and defeated his enemies. In several cases persons held seats in the House from parishes in which they had never resided and in which they were absolutely unknown. In one case, a friend of the governor was elected in a

private room in a New Orleans hotel, at midnight, to represent a parish a hundred miles away. The police and other laws, entailing vast expense upon the people, vest monstrous powers in the governor, which he has not failed to use in his own interest. The tax in the State is about two per cent., and in the city of New Orleans about five per cent., on a fair cash valuation. In 1868 the debts and liabilities of the State were \$14,000,000, and in 1871, three years later, they were \$41,000,000.

No bill that the governor favors can fail, and none that he opposes can pass. He frequently appears on the floor of the Senate and House when important measures are pending, and stiffens members, to use his own words, by his "presence, cheerful conversation, pleasant manners, and so on." He terms, under oath, his friends in the Legislature "my crowd," and speaks of them and to them with that contempt which a thorough knowledge of their character amply justifies. The world has rarely known a legislative body so rank with ignorance and corruption. There is no direct evidence that the governor ever received a bribe, for approving or vetoing a bill, and he states with emphasis that he has never been corruptly influenced in his official action. He has been governor four years, at an annual salary of \$8,000, and he testifies that he made far more than \$100,000 the first year, and he is now estimated to be worth from \$500,000 to \$1,000,000.

A reform party was organized in Louisiana, and a convention was called to meet in New Orleans on June 4, 1872. A Democratic State convention met on April 18, adopted an address and resolutions, and adjourned to June 3. Governor Warmoth and five hundred of his followers called themselves "Liberal Republicans," and in an address to the people condemned President Grant's administration. Packard's faction, on the other hand, met in convention on April 30, commended the Presi-







dent and his policy, and adopted resolutions severely arraigning Governor Warmoth, whom they called the "corrupt chief executive of the State, who had fraudulently manipulated the election laws, passed for good and proper purposes, to maintain himself and his minions in power, and in order to enable them to plunder the State treasury."

Pinchback, who had thus far been an ally of Warmoth, began now to waver in his fidelity to his chief, although a convention of his followers praised the latter and declared him to be their first choice for governor. Warmoth was too wily to believe Pinchback, whom he accused of attempting an alliance with Packard. He spoke very bitterly of President Grant and of the "odious executive and legislative tyranny which tramples with equal indifference upon the rights of persons and communities." It is exceedingly curious to see Governor Warmoth accusing President Grant's administration of the same tyranny that he himself practised so openly in Louisiana. He had determined to give his support to Greeley and Brown, and to attempt to form a fusion ticket in the State with the Democrats in opposition to Packard and Pinchback.

The Reform and Democratic conventions met in the beginning of June and nominated State tickets upon which several of the same names appeared. The Reformers soon abandoned their ticket, and in August a fusion of the Democrats, Reformers, and Liberal Republicans was made, and the following ticket was nominated: For governor, John McEnery; for lieutenant-governor, Davidson B. Penn; for attorney-general, Horatio N. Ogden;

for auditor, James Graham; for secretary of state, Samuel Armistead; for superintendent of public education, R. M. Lusher. The Pinchback and Packard factions, after much abuse of each other, effected also a fusion, with the following ticket: For governor, William Pitt Kellogg; for lieutenant-governor, C. C. Antoine (colored); for secretary of state, P. G. Deslondes (colored); for auditor, Charles Clinton; for attorney-general, A. P. Field; for superintendent of education, Brown (colored); for congressman at large, P. B. S. Pinchback (colored). The treasurer, Dubuclet, elected in 1870, was a colored man. A colored man also had been sent to Congress in 1868. In the election, November 4, 1872, the ticket headed by John McEnery was chosen. But it was declared that the will of the people was frustrated by a monstrous fraud, and the regular Republicans, aided by the President of the United States, imposed upon Louisiana for four long years a dishonest, inefficient, and hated government.

Returns of the election were sent to the governor, to be opened in presence of a returning board composed of the governor, lieutenant-governor, secretary of state, and John Lynch and Thomas C. Anderson. Pinchback and Anderson, who were candidates for office, were disqualified to act as members; the secretary of state, George E. Bovee, had been suspended from office in August, 1871, by the governor for alleged malfeasance in office, and the latter had appointed F. J. Herron. The legality of the governor's act had been tested in court, and in March, 1872, Judge Dibble, of the famous Eighth District Court,



had decided that Herron's commission had expired and Bovee was entitled to the office. The Supreme Court, in December, 1872, affirmed Dibble's decision, and Warmoth, who could no longer control the judge, removed him and commissioned Elmore, who had been elected over Dibble. Elmore refused to execute the writ in favor of Bovee, and was fined and imprisoned by the Supreme Court. Meanwhile, Governor Warmoth had removed Herron from the office of secretary of state, on the ground that his term of office had expired, and that he was a defaulter from another office. The governor had appointed J. Wharton in his stead.

When the board met, on November 13, 1872, the governor and Wharton, in the presence of Lynch, appointed F. W. Hatch and Durant Daponte, in place of Pinchback and Anderson. Thereupon Lynch and Herron appointed General James Longstreet and Jacob Hawkins to the vacant places, and formed another board. Bovee subsequently took Herron's place.

On November 16 Mr. Kellogg brought suit before Judge Durell, of the United States Circuit Court, against the Warmoth board, against John McEnery, and against the publishers of the official journal of the State. Judge Durell issued an *ex parte* order restraining the defendants from canvassing any returns relative to the election, except in the presence of the Lynch board, and from permitting any other persons to act as returning officers; enjoining McEnery from claiming the office of governor by virtue of any evidence of election furnished by the Warmoth board; and enjoining the official journal of

the State from publishing any statement relative to the election made by the defendants, until further order of the court.<sup>2</sup>

With regard to Judge Durell's action in the matter, the Committee on Privileges and Elections of the United Senate used the following language: "We come now to the saddest chapter in this melancholy business, the interference of Federal authority with the affairs of the State of Louisiana."

Governor Warmoth approved, on November 20, the election law passed by the last Legislature, which abolished all returning boards under the old law, and he called an extra session of the Legislature to meet on December 9, 1872. He also appointed a new board, known as the De Fériet board, which declared the election of the entire McEnery ticket, and such returns were duly promulgated by the governor on December 4, 1872. Warmoth seemed to be triumphant; but, says the United States Senate committee:

Judge Durell, out of court, at his house, late at night, December 5, without application by any party, made the following order, which is without parallel, and it is hoped will remain so in judicial proceedings:

"CIRCUIT COURT OF THE UNITED STATES, FIFTH CIRCUIT,  
No. 6830.

WILLIAM P. KELLOGG,

*vs.*

H. C. WARMOTH, *et als.*

*Whereas*, Henry C. Warmoth, of the respondents herein, has, in violation of the restraining order herein, issued the following

proclamation and returns of certain persons claiming to be a board of returning officers, all in violation and contempt of said restraining order, as follows:”

Here the proclamation of December 4 is cited:

“Now, therefore, in order to prevent the further obstruction of the proceedings in this cause, and further, to prevent a violation of the orders of this court, to the imminent danger of disturbing the public peace, it is hereby ordered that the marshal of the United States for the District of Louisiana shall forthwith take possession of the building known as the Mechanics’ Institute, and occupied as the State House for the assembling of the Legislature therein, in the city of New Orleans, and hold the same subject to further order of this court, and meanwhile to prevent all unlawful assemblage therein under the guise or pretext of authority claimed by virtue of pretended canvass and returns made by said pretended return of officers, in contempt and violation of said restraining order, but the marshal is directed to allow the ingress and egress to and from the public offices in said building of persons entitled to the same.

(Signed) E. H. DURELL.”

It is impossible to conceive of a more irregular, illegal, and in every way inexcusable act on the part of the judge. Conceding the power of *the Court* to make such an order, the judge *out of court* had no more authority to make it than had the marshal. It had not even the form of judicial process. It was not sealed, nor was it signed by the clerks, and had no more legal effect than an order issued by any private citizen.

. . . The De Fériet board, therefore, had color of official existence. Their canvass was completed, and the result promulgated under color of State law, and it is clear that this gave the Federal Court no more right to seize the State House than to seize the Capitol.

The marshal, on receiving this pretended order, called for a detachment of United States troops to act as posse comitatus, seized the State House at 2 A.M. of December 6, and held it for weeks.

The action of Packard in taking possession of the State House was based on the following telegram:

DEPARTMENT OF JUSTICE,

December 3, 1872.

*S. B. Packard, U. S. Marshal, New Orleans, La.:*

You are to enforce the decrees and mandates of the United States courts, no matter by whom resisted, and General Emory will furnish you with necessary troops for that purpose.

GEORGE H. WILLIAMS,

*Attorney-General.*

As the State House had been captured by Pinchback and Kellogg, it was now necessary to install their Legislature. C. C. Antoine, the negro who claimed to have been elected lieutenant-governor, applied to Judge Durrell, and the latter, who on December 6 had rendered a decision in favor of the Lynch board, issued a most extraordinary *ex parte* order. "It enjoined severally and respectively the individuals proclaimed elected by the governor from claiming or exercising any right as members of the Legislature, unless their names were on the list of members returned by the Lynch board. It controlled and supervised the organization of the Legislature. It excluded the members certified by the board appointed under the act of November 20, and proclaimed by the governor elected; and it compelled the admission



and seating of the members returned and certified by the Lynch board and placed on its list. It thus set aside the constitutional and republican government of the State, and appointed a Legislature for Louisiana.”<sup>3</sup>

On December 9 the Legislature created by the Lynch board met at the State House, the Mechanics' Institute. Pinchback, whose term of office as senator had expired on November 4, presided over the Senate, and Postmaster Charles W. Lowell was elected Speaker of the House. Marshal Packard had telegraphed, on December 6, to the attorney-general of the United States that the United States Court sanctioned the returning board provided by the election law of 1870. Concerning this Lynch board, the committee of the Senate says: “There is nothing in all the comedy of errors and frauds under consideration more indefensible than the pretended canvass of this board. No person can examine the testimony ever so cursorily without seeing that this pretended canvass had no semblance of integrity.” And yet it was the Legislature originating from such a canvass that proceeded, on the first day of assembling, to adopt resolutions impeaching Governor Warmoth for “high crimes and misdemeanors in office committed against the Constitution and laws of the State of Louisiana.” Warmoth was suspended, pending his trial, and Pinchback, who was not the legal lieutenant-governor, assumed the office of governor of the State, although enjoined by Judge Elmore. The committee of two hundred citizens appointed at a mass meeting held in New Orleans on December 12, 1873, say in their report: “We might be amused by

this frolic of fortune which threw this person into the office of governor of the State, and might commend the superior dexterity and address with which he disappointed all the managers of the scandalous intrigue we are developing, by his election to the Senate of the United States against this opposition, if we were not residents of the State and concerned about its honor, its reputation and its prosperity." The committee quote the following telegrams taken from the report of the committee of the United States Senate, which show the part taken by President Grant in this sad and disgraceful story:

NEW ORLEANS, December 6, 1872.

*President Grant:*

Marshal Packard took possession of State House this morning, at an early hour, with military posse, in obedience to a mandate of the Circuit Court to prevent illegal assemblage of persons in disguise of authority of Warmoth's returning board, in violation of injunction of Circuit Court. Decree of Court just rendered declares Warmoth's returning board illegal, and orders the returns of the election to be forthwith placed before the legal board. This board will probably soon declare the result of the election of officers of State and Legislature, which will meet in State House with protection of court. The decree was sweeping in its provisions, and, if enforced, will save the Republican majority and give Louisiana a Republican Legislature and State government, and check Warmoth in his usurpations. Warmoth's Democratic supporters are becoming disgusted with him, and charging that his usurpations are ruining their cause.

JAMES F. CASEY.

NEW ORLEANS, December 11, 1872.

*President Grant:*

Parties interested in the success of the Democratic party, particularly the New Orleans "Times," are making desperate efforts

to array the people against us. Old citizens are dragooned into an opposition they do not feel, and pressure is hourly growing. Our members are poor and our adversaries are rich, and offers are made that are difficult for them to withstand. There is danger that they will break our quorum. The delay in placing troops at disposal of Governor Pinchback, in accordance with joint resolution of Monday, is disheartening our friends and cheering our enemies. If requisition of Legislature is complied with, all difficulty will be dissipated, the party saved, and everything go on smoothly. If this is done, the tide will be turned at once in our favor. The real underlying sentiment is with us, if it can be but encouraged. Governor Pinchback acting with great discretion, as is the Legislature, and they will so continue.

JAMES F. CASEY,  
*Collector.*

NEW ORLEANS, December 12, 1872.

*President Grant:*

The condition of affairs is this: The United States Circuit Court has decided which is the legal board of canvassers. Upon the basis of that decision, a Legislature has been organized in strict conformity with the laws of the State, Warmoth impeached, and thus Pinchback, as provided by the Constitution, became acting governor. The chief justice of the Supreme Court organized the Senate into a Court of Impeachment, and Associate Justice Taliaferro administered oath to Governor Pinchback. The Legislature, fully organized, has proceeded in regular business since Monday. Notwithstanding this, Warmoth has organized a pretended Legislature, and it is proceeding with pretended legislation. A conflict between these two organizations may at any time occur. A conflict may occur at any hour, and, in my opinion, there is no safety for the legal government without the Federal troops are given, in compliance with the requisition of the Legislature. The Supreme Court is known to be in sympathy with the Republican State government. If a decided recognition of Governor Pinch-

back and the legal Legislature were made, in my judgment it would settle the whole matter. General Longstreet has been appointed by Governor Pinchback as adjutant-general of State militia.

JAMES F. CASEY.

NEW ORLEANS, December 11, 1872.

*Hon. George Williams:*

If President in some way indicate recognition Governor Pinchback and Legislature, would settle everything. Our friends here acting discreetly.

W. P. KELLOGG.

DEPARTMENT OF JUSTICE,

December 12, 1872.

*Acting Governor Pinchback, New Orleans, La.:*

Let it be understood that you are recognized by the President as the lawful executive of Louisiana, and that body assembled at Mechanics' Institute is the lawful Legislature of the State, and it is suggested that you make proclamation to that effect, and also that all necessary assistance will be given to you and the Legislature herein recognized to protect the State from disorder and violence.

GEORGE H. WILLIAMS,

*Attorney-General.*

The McEnery or fusion Legislature had met, on December 11, at the City Hall, declared to be the legal State House by Governor Warmoth, and the latter on the same day issued a proclamation to the people cautioning all good citizens against recognizing "the revolutionary and fraudulent assemblage, pretending to be the General Assembly of the State, and now in session at the building known as the Mechanics' Institute, recently used



as a State House, or the person who claims to act as governor, by virtue of the fraudulent and pretended resolutions of impeachment adopted by the said revolutionary assemblage."

On December 12, 1872, Governor-elect John McEnery telegraphed to President Grant begging him, in the name of all justice, to suspend recognition of either of the dual governments in operation until all facts could be laid before him concerning the legitimacy of either government. He said that the people denying the legitimacy of the Pinchback government simply asked to be heard through a committee of many of the best citizens on the eve of departure for Washington. The following reply was received:

DEPARTMENT OF JUSTICE,

December 13, 1872.

*Hon. John McEnery, New Orleans:*

Your visit with a hundred citizens will be unavailing, so far as the President is concerned. His decision is made and will not be changed; and the sooner it is acquiesced in, the sooner good order and peace will be restored.

GEORGE H. WILLIAMS,  
*Attorney-General.*

The McEnery Legislature adjourned its extra session on December 13, 1872, until the time for the regular session in January. There was no hope, however, for the establishment of the Reform government. On December 14 the adjutant-general of the United States telegraphed to General Emory: "You may use all necessary force to

preserve the peace, and will recognize the authority of Governor Pinchback." It was in vain that forty-five members of the citizens' committee went to Washington to try to obtain justice from the administration,—the President's decision was made. President Grant had been a loyal enemy during the Civil War, and had deserved the gratitude of the Southern people by his generous treatment of Lee and his valiant army at Appomattox. But as President he was unjust to the South. The Louisianians appealed to the people of the United States, and their appeal for justice was finally heard. After four years they were allowed to free themselves from the fraudulent and corrupt government imposed upon them in 1872. Warmoth's government did not represent the will of the people any more than the Pinchback and Kellogg governments, but it had at least a semblance of legality.

It is to be regretted that John McEnery and Davidson B. Penn, and other patriotic men, should have made an alliance with Governor Warmoth, whose administration, from 1868 to 1872, had been disastrous to the State. The debt of Louisiana had increased from six millions of dollars in 1868 to nearly fifty millions in 1872, and much of this vast sum represented nothing. It was simply plunder.

## CHAPTER V

### THE WHITE LEAGUE AND THE FOURTEENTH OF SEPTEMBER

Resistance to Kellogg's government—It is supported by Federal troops—Organization of the White League—Arms seized by Kellogg in New Orleans—Meeting at the Clay statue—Abdication of Kellogg demanded—The citizen-soldiers, led by General Frederick Nash Ogden, defeat the metropolitan police—Installation of Acting-Governor Penn—Address of Robert H. Marr—Joy of the people—Kellogg reëstablished by President Grant.



ON November, 1872, Louis A. Wiltz was elected mayor of New Orleans. In 1873 the condition of affairs in Louisiana was as unsettled and wretched as in 1872. The United States Senate committee, already referred to, said that the *de facto* Kellogg government could be maintained only with the aid of United States troops, and that the McEnery government was more nearly a government *de jure*. The committee recommended that a bill be passed to hold an election in Louisiana under the authority of the United States. This recommendation was ignored, and the Federal administration continued to support the Kellogg government. The people, assembled in mass meeting in New Orleans, on March 1, 1873, protested against the protection of an illegal government by President Grant,

and expressed their preference for martial law until there should be a new reconstruction of the State by Congress.

On March 6 the police stations were attacked by a body of citizens, who were repelled by the metropolitan police, reinforced by several companies of United States infantry. On the same day the members of the McEnery Legislature were arrested by the police, at Odd Fellows Hall, and were led to the guard-house. The Kellogg Legislature, supported by the Federal Government, passed outrageous and oppressive acts, such as one professedly "to protect the civil rights of citizens," and an act making of the metropolitan police the Metropolitan Brigade, at the absolute disposal of the governor in any part of the State. Kellogg was invested with the authority of a czar, and tried to enforce his power with his pretorian guard. There were disturbances at Colfax, in Grant parish, and United States troops were sent there to restore order, which had already been reëstablished. In St. Martin parish the people resisted the collection of taxes by illegal tax-collectors, and Kellogg sent armed men to enforce obedience. The Metropolitan Brigade, however, was held in check by the citizens led by Colonel Alcibiade De Blanc, and United States troops had to be sent to the aid of the police. Colonel De Blanc surrendered to the Federal soldiers, but he had proved plainly that Kellogg's government could be upheld only by Federal power. In 1874 the citizens of New Orleans followed St. Martin's example, and swept away for a short time the hated government.

An attempt was made for "unification" of the people



without regard to color; but the movement, which was well meant, was a mistake and could not succeed. The majority of white citizens believed that the salvation of Louisiana lay in overthrowing the rule of the negro and of the Republican party, which had done so much harm to the State, and was represented in 1874 by Kellogg, a white man, and by Pinchback and Antoine, colored men. The White League was first organized at the town of Opelousas, on April 27, 1874.<sup>1</sup> On June 14, an organization was effected in St. Martin parish, and on July 2 the Crescent City White League, organized in June, published its platform. It declared that as the Crescent City Democratic Club of 1868 had changed its name, an explanation was due of the motives of a "change so seriously and so sadly suggestive." It spoke of the conflict to which the Louisianians were fast drifting—"a conflict between enlightenment and thick ignorance, between civilization and barbarism—a barbarism artificially stimulated and held up by the perverted authority of the most civilized nation in the world." It said that it was needless to draw a picture of the utter desolation of Louisiana, needless to "repeat the old story of brutal violence stalking at midnight in the draggled shroud of judicial authority, and under the shadow of Federal power, enthroning an execrable oligarchy of the most ignorant and profligate negroes, leagued with the most dangerous class of rapacious whites, the scum of society." "With our hands on our hearts, and appealing to God, we and the whole white people of Louisiana can declare that we are in no way responsible for the intolerable evils of misgovernment

under which the State is perishing." The negro, according to the platform, was less qualified for the duties of government than he was seven years ago; "where the white race rules, the negro is peaceful and happy; where the black rules, the negro is starved and oppressed. But it is worse than idle to reason with those people. They have become maddened by the hatred and conceit of race, and it has become our duty to save them and to save ourselves from the fatal probabilities of their stupid extravagance and reckless vanity, by arraying ourselves in the name of white civilization, resuming that just and legitimate superiority in the administration of our State affairs to which we are entitled by superior responsibility, superior numbers, and superior intelligence; and while we declare it our purpose and fixed determination not to interfere in any manner with the legal rights of the colored race, or of any other race, we are determined to maintain our own legal rights by all the means that may become necessary for that purpose, and to preserve them at all hazards." <sup>2</sup> These were solemn and ominous words, uttered by determined men. The first officers of the Crescent City White League were as follows: president, Frederick Nash Ogden; first vice-president, William J. Behan; second vice-president, Washington Irving Hodgson; corresponding secretary, Donaldson Jenkins; recording secretary, Theodore Shute; treasurer, William A. Bell; first marshal, William T. Vaudry; first assistant marshal, John Payne; second assistant marshal, Harrison Watts. Among the originators of the organization were Colonel John B. Walton, Richard C. Bond, Benjamin

R. Forman, James Buckner, Frank C. Zacharie, and Archibald Mitchell.

That the conservative people of the State were thoroughly in accord with the White League movement, was proved by the platform of a convention of the "white people of Louisiana," which met at Baton Rouge on August 24, of which Robert H. Marr was president. The members of the convention announced distinctly that it was the determination of the people to have a free and fair election, and to see that the result was not changed by fraud or violence. They denounced William Pitt Kellogg as a usurper, and declared that his arbitrary, unjust, and oppressive government could maintain itself only through Federal interference.

The struggle against oppression gave rise to serious excesses, such as the riot at Colfax in 1873 and the shooting of six Republican officials near Coushatta, Red River parish, in August, 1874. President Grant ordered troops to be stationed at convenient points in Louisiana for the purpose of giving all needful help to the United States marshals and attorneys in the discharge of their official duties, and he referred to the "recent atrocities in the South, particularly in Louisiana, Alabama, and South Carolina." He should have known that "the true cause of the trouble in Louisiana," as was declared by Robert H. Marr, chairman of the Committee of Seventy, was "to be found in the fact that the people have no confidence in the present usurping government, which does not command their obedience, and which fails to give protection, because it is not founded upon the consent of the gov-

erned.” The true remedy, according to Mr. Marr, would be the restoration of the government to the legally elected officers, from whom it was wrested by Federal power. All difficulties would be composed, and peace and good order would be restored.

President Grant paid no attention to the words of the fearless and patriotic chairman of the Committee of Seventy, and Mr. Kellogg, knowing that he had the support of the Federal Government, became more despotic than ever. Arms were shipped to negroes in the country parishes, and guns and ammunition belonging to private individuals in New Orleans were seized on the streets and in stores by the metropolitan police. On September 10, a squad of ten metropolitan policemen, in charge of an officer, entered the store of Mr. Arthur Olivier, importer of guns, No. 80 Canal Street, arrested him on a warrant issued upon a trumped-up charge of assault and battery, and carried off three cases containing guns, and twelve kegs of ammunition, before the crowd that rapidly assembled could prevent them.<sup>3</sup> This affair excited the greatest indignation in New Orleans, for it was evident that Kellogg intended to deprive the people of the right to bear arms, guaranteed to them by the Constitution of the United States. On September 12 an old gentleman was arrested in the street by three negro policemen on horseback,—“uhlans,” as they were called,—for carrying home his gun. There was a large consignment of arms on the steamship *Mississippi* for the White League, and the attempt of the latter to prevent the police from seizing them precipitated the memorable conflict in 1874.



The following appeal to the "Citizens of New Orleans," which was written by Dr. J. Dickson Bruns, appeared in the newspapers on September 13:

For nearly two years you have been the silent but indignant sufferers of outrage after outrage heaped upon you by an usurping government. One by one your dearest rights have been trampled upon, until, at last, in the supreme height of its insolence, this mockery of a republican government has dared even to deny you that right so solemnly guaranteed by the very Constitution of the United States, which, in article two of the amendments, declares that "the right of the people to keep and bear arms shall not be infringed." In that same sacred instrument, to whose inviolate perpetuity our fathers pledged "their lives, their fortunes, and their sacred honor," it was also declared that even Congress shall make no law abridging "the right of the people peaceably to assemble and to petition the government for a redress of grievances." It now remains for us to ascertain whether this right any longer remains to us. We therefore call upon you on Monday morning, the 14th day of September, 1874, to close your places of business, without a single exception, and at 11 o'clock A.M. to assemble at the Clay statue, on Canal Street, and in tones loud enough to be heard throughout the length and breadth of the land, Declare That You Are Of Right, Ought To Be, And Mean To Be, Free.

Also in a newspaper of New Orleans appeared an "Appeal of the Women to the Men of New Orleans," as follows:

Out of the depths of our humiliation and despair we call upon you, by all that is dear and sacred to the human heart, to be true to your country, to yourselves, and to us. All is at stake! The integrity of your race, the preservation of your free-born heritage,

the honor of your wives and daughters! Sons of those who pledged "their lives, their fortunes, and their sacred honor" in defense of freedom, and sealed the compact with their blood; followers of the immortal Lee and Jackson, have these heroes lived and died in vain? Is there left, in all the length and breadth of our lovely Southern land, "no arm to strike, no soul to dare"? Once we proudly boasted of our security, of the courteous protection accorded to our sex in New Orleans. When Butler's Order No. 28 would have brought disgrace and shame upon us, with each indignant heart-throb there came the proud thought, "Our men are in the field, battling for their rights and ours." Where are they now? Under the iron heel of the usurping oppressor, each day closes upon you more crushed, more down-trodden than before. And, for ourselves, our cheeks tingle with shame, that, in broad daylight, upon our most frequented thoroughfares, almost within your sight and hearing, we are subjected to assault and insult. Even our homes are insecure. To whom, under high heaven, can we look for aid but to you? Unlike our Northern sisters, we are content to leave to you the pulpit, the rostrum, and the ballot-box. You are the custodians of our most cherished rights. Will you prove recreant to the trust and resign, without a struggle, to the invader, all for which our countrymen have died?

The call of September 13 was signed by influential citizens, and in answer to their energetic words the people, at half-past eleven on September 14, assembled, to the number of about five thousand men, around the Crescent billiard-saloon at the Clay statue. Robert H. Marr called the meeting to order, and Michel Musson was elected president. The following named gentlemen were elected vice-presidents: Samuel Bell, Henry Renshaw, John I. Adams, Perry Nugent, Samuel Flower, Samuel H. Boyd, M. Gillis, Robert Hare, Julius Vairin, Louis Bush,

John J. Gidière, Samuel K. Russ, and J. J. Warren. Robert H. Marr read an address showing the right of the people to bear arms, and read also these resolutions, which were adopted:

*Whereas*, At a general election held in Louisiana the 4th day of November, 1872, John McEnery was elected governor by a majority of nearly ten thousand over his opponent, William Pitt Kellogg, and D. B. Penn, lieutenant-governor, by a majority of fifteen thousand over his opponent, C. C. Antoine,

*And whereas*, by fraud and violence, these defeated candidates seized the executive chair,

*And whereas*, from time to time, by other irregular, fraudulent and violent acts, in the face of the report of the committee of the United States Senate, appointed to investigate the affairs of Louisiana, that "the existing government of the State is a usurpation, the result of violent abuse of judicial functions, and, sustained simply by force," W. P. Kellogg has continued himself in power, to the great wrong and outrage of the people of the State of Louisiana, and to the imminent danger of republican institutions throughout the entire country.

*And whereas*, with a view to controlling and determining the results of the approaching election, to be held in Louisiana November next, he has, under an act known as "the registration act," and passed for the purpose of defeating the popular will, secured to himself and his partisans the power of denying registration to *bona fide* citizens, whose applications before the courts for a mandamus to compel the assistant supervisors to enroll and register them has been refused, the registration law punishing the courts if they dare to take cognizance of such appeals,

*And whereas*, by false and infamous representations of the motives of our people, he has received the promise of aid from the Federal army, placed at the orders of the attorney-general of the United States, and subject to the calls of the United States super-

visors, for the purpose of overawing our State and controlling the election,

*And whereas*, in the language of the call for this meeting, "one by one our dearest rights have been trampled upon" until, at last, in the supreme height of its insolence, this mockery of a republican government has even dared to deny that right so solemnly guaranteed by the Constitution of the United States, which declares that "the right of the people to bear arms shall never be infringed,"—

*Be it resolved*, That we reaffirm solemnly the resolutions adopted by the white people of Louisiana, in convention assembled at Baton Rouge, on August 24, 1874.

That the white people of Louisiana have no right to deprive the colored people of their rights.

That W. P. Kellogg is a mere usurper, and we denounce him as such.

That his government is arbitrary, unjust, and oppressive, and can only maintain itself through Federal interference.

That the election and registration laws under which this election is being conducted were intended to perpetuate the usurpation by depriving the people, and especially all naturalized citizens, of an opportunity to register and vote.

Therefore, in the name of the citizens of New Orleans, in mass meeting assembled, and of the people of the State of Louisiana, whose franchise has been wrested from them by fraud and insolence, and all of whose rights and liberties have been outraged and trampled upon:

We demand of *William Pitt Kellogg his immediate abdication.*

*Resolved*, that a committee of five be immediately appointed by the chairman to wait on W. P. Kellogg, to present to him those resolutions, to demand of him an immediate answer, and to report the result of such interview to this meeting.

The following committee was appointed to wait on Mr. Kellogg: Robert H. Marr, Jules Tuyès, J. M. Seixas,



John B. Woods, and Dr. Samuel Choppin. Mr. Marr said they would go without arms, open or concealed, and would immediately report Kellogg's answer to the demand of the people. At about one o'clock the committee returned, and were received with ringing cheers. They reported that they had called at Kellogg's office, but had not found him there. They were received by Henry C. Dibble, a member of Kellogg's staff, and they laid before him the demand of the people. After a few minutes Dibble returned with the following communication:

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT,  
NEW ORLEANS, September 14, 1874.

*Gentlemen:*

I have communicated with the governor, and he directs me to say to you that he must decline to receive any communication from the committee appointed by the mass meeting on Canal Street. He does so, I am instructed to say, because he has definite and accurate information that there are now assembled several large bodies of armed men in different parts of the city who are met at the call which convened the mass meeting you represent. He regards this as a menace, and he will receive no communication under such circumstances.

He furthermore directs me to say that should the people assemble peaceably and without menace, he would deem it one of his highest duties to receive any communication from them, and to entertain any petition addressed to the government.

I have received you, gentlemen, and I convey the governor's answer as a member of his staff.

H. C. DIBBLE.

Mr. Marr reported that he answered as follows:

That we represented no armed body, but a mass meeting of unarmed citizens, assembled on Canal Street; that there were no

armed men on Canal Street, so far as we know and believe; that we came on a mission of peace, and that if the governor should have acceded to our proposition, we believe it would have produced perfect peace throughout the State, and that we were prepared to pledge ourselves that no harm should be done to him, either in person or property, but on the contrary there should be perfect immunity to both.

To which Mr. Dibble replied that although it was doubtless true that armed men were not on Canal Street, yet that they were known to be within a short distance, and that they were assembled on the same call that convened the mass meeting.

The committee replied that "there were no armed men on Canal Street, and that no men had been called to enforce the demand of the people, and that if Kellogg resigned he would not be at all hurt."

Mr. Marr addressed the meeting, and said that the people should decide what they should do—whether they should endure this any longer, or rise and drive out the usurper. The answer to these words was: "Hang Kellogg!" "We'll fight!" "Call out the troops!"

E. John Ellis made a spirited address, and Dr. Cornelius Beard called on the people to defend their rights; to come armed to hold the city against Kellogg and all his hirelings; to make the whole city an armed camp, and never to leave it until the last of Kellogg's gang left the city. "Their wives, their brothers, would bring them food and cheer them in their fight." The crowd cheered the speaker, and called for immediate action and for leaders. Mr. Marr told them to go home

and get their arms and report at Canal Street at half-past two. They would find leaders there.

The meeting then broke up amidst the greatest enthusiasm, and the people proceeded to appeal to arms for a redress of their grievances. Lieutenant-Governor Davidson B. Penn, in the absence of Governor John McEnery, issued the following proclamation:

For two years you have borne with patience and fortitude a great wrong. Through fraud and violence the government of your choice has been overthrown and its power usurped. Protest after protest, appeal after appeal to the President of the United States and to Congress, have failed to give you the relief you had a right under the Constitution to demand. The wrong has not been repaired. On the contrary, through the instrumentality of partisan judges, you are debarred from all legal remedy. Day by day taxation has been increasing, with cost and penalties amounting to confiscation of your property; your substance squandered; your credit ruined, resulting in failure and bankruptcy of your most valued institutions. The right of suffrage is virtually taken from you by the enactment of skilfully devised registration and election laws. The judicial branch of our government has been stricken down by the conversion of the legal posse comitatus of the sheriff to the use of the usurper, for the purpose of defeating the decrees of the courts; his defiance of law leading him to use this very force for the arrest of the sheriff himself, while engaged in the execution of the process of the court. To these calamities may be added a corrupt and vicious Legislature concocting laws in violation of the Constitution, for the purpose of guarding and perpetuating their usurped authority—a metropolitan police paid by the city, under the control of the usurper, quartered upon you to overawe and keep you in subjection. Every public right has been denied you; and, as if to goad you to desperation, private arms are seized and individuals

arrested. To such extremities are you driven that manhood revolts at further submission. Constrained from a sense of duty as the legally elected lieutenant-governor of the State (acting-governor in the absence of Governor McEnery), I do hereby issue this my proclamation, calling upon the militia of the State, embracing all persons between the ages of eighteen and forty-five years, without regard to color or previous condition, to arm and assemble under their respective officers, for the purpose of driving the usurpers from power.

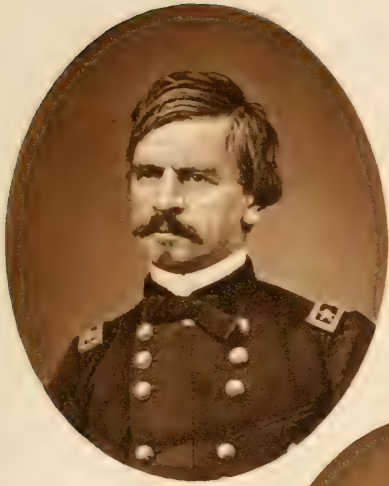
Given under my hand and seal the 14th day of September, 1874.

Acting-Governor Penn, by General Orders No. 1, appointed General Frederick Nash Ogden provisional general of the Louisiana State militia. General Ogden was born at Baton Rouge in 1837, and served with distinction in the Civil War, in Virginia, in Dreux's Battalion (afterward Rightor's) at the forts below the city, and at Vicksburg as major of artillery. By the surrender of Vicksburg he fell into the hands of the enemy, but was soon exchanged, and served till the close of the war as colonel of cavalry. He was president of the Crescent City Democratic Club of 1868, took part in the attack on the Third Precinct Station in 1872, when he received a painful wound, and was the leader of the White League in 1874.

The situation at Kellogg's camps on the morning of September 14, a few hours before the conflict, as given by a New Orleans newspaper, is interesting:

At the Custom-house were some one hundred and fifty soldiers, companies D and E, Sixteenth Infantry, from Baton Rouge.







These were stationed in the dungeons, the warehouses on the basement floor of the old granite building—a very old, dirty, and damp camping-ground. The United States marshals were busy among them, distributing the soldiers around in such a style as to make them appear as numerous as possible. The soldiers appeared worn, tired, and fatigued, but in good humor, and seemed neither to expect nor desire fighting very much. A large gang—several hundreds—of idle negroes congregated here, evidently supposing that the labyrinthian mazes of the Custom-house would afford them a safe retreat in case of a “scrimmage.” At the State House there was the same gathering of negroes, but rather of the political than laboring class. Every door was shut and bolted, even to the little soda-water stand at the corner of St. Louis and Royal streets. The ladies’ entrance to the governor’s office was closed, admittance being refused to all except dear political friends. For these the door was half opened, and the guests compelled to squeeze in among a gang of metropolitans. About thirty or forty metropolitans paraded the gallery in lieu of the usual political bummers, evidently to give the people the idea that the building was strongly garrisoned. From St. Louis Street down, all the stores on Royal Street were closed at a very early hour, and a continuous crowd kept pouring into Canal Street. Several men, armed with guns, passed close by the police station, but the metropolitans did not appear desirous of noticing these, and turned their eyes another way to avoid them. The Third Precinct Station was a perfect citadel. Here was collected the greatest number of metropolitans. In the Supreme Court room about two hundred metropolitans were stationed, all fully provided with ammunition, and carrying their bayonets fixed and ready for action. These seemed to have orders to remain there, as their only amusements were smoking and conversing with the colored ladies who congregated on the square opposite. Here also were some forty or more sans culottes, not metropolitans, and not wearing uniforms, but attired in rags and dirty shirts, and drafted especially for the occasion from the streets or the prisons, carrying their guns with a very

martial air. The two alleys, Orleans and Exchange, were shut to all passers-by, being guarded by detachments of police, acting as sentries. In Orleans Alley were some thirty Uhlans, their horses, as well as the artillery horses, tied to the Cathedral fence. Downstairs, in the police station, were some fifty more metropolitans, also apparently prepared, and who declined to enter into conversation with any one on any subject whatever. Lastly, the arsenal was guarded, or occupied by some dozen men, preparing the cannon in case of conflict.

The people were not long in preparing for the attack against Kellogg's troops, commanded by Generals Longstreet and Badger. Barricades were begun at all the streets running parallel to the river. They were made with barrels, logs, horse-cars, and stones torn from the pavement. In a very short time General Ogden won a complete victory, which he related as follows in his official report:

HEADQUARTERS LOUISIANA STATE MILITIA,

NEW ORLEANS, September 17.

*Col. E. J. Ellis, A. A. G.*

COLONEL: I have the honor to report, that on Monday, September 14, at 1 P.M., upon the uprising of the citizens *en masse*, and immediately upon receipt of commission from Lieutenant-Governor D. B. Penn, acting-governor during the temporary absence of Governor McEnery, appointing me major-general, commanding the State militia, and in pursuance of his orders to assemble my troops, I at once proceeded to form a defensive line of battle on Poydras Street, my right resting on the levee, my left on Carondelet Street, with the intention of throwing the city into a military camp, for the purpose of thoroughly organizing the State forces. With commendable alacrity the following com-



mands reported at my headquarters, on Camp near Poydras Street, viz.:

Crescent City White League, Colonel W. J. Behan commanding, composed of: Section A, Captain W. T. Vaudry; Section B, Captain George H. Lord; Section C, Captain S. H. Buck; Section D, Captain Archibald Mitchell; Section E, Captain R. B. Pleasants; Section F, Captain Thomas McIntyre; Section G, Captain D. M. Kilpatrick. The Eleventh Ward White League, Captain F. M. Andress. The Tenth Ward White League, Captain Edward Flood. The Sixth District White League, Captain H. E. Shropshire. The Sixth District White League, Captain C. H. Allen. The Sixth Ward White League, Captain George W. Dupré. The Seventh Ward White League, Captain O. M. Tennison. The Washington White League, Captain A. B. Phillips. The St. John White League, Captain Charles Vautier. The Second Ward White League, Captain R. Stewart Dennee. The Third Ward White League, Captain J. R. S. Selleck. Major Le Gardeur, with Captain Charles Roman's company (the remainder of his battalion being present unarmed). Colonel John G. Angell, commanding First Louisiana Infantry, composed of the following companies: Company A, Captain Borland; Company B, Captain F. McGloin; Company C, Captain Blanchard; Company E, Lieutenant F. A. Richardson. Together with two companies of artillery, under Captain John Glynn, Jr. (acting-chief of artillery), and Captain H. D. Coleman.

As before stated, my line of defense was formed on Poydras Street, at 3 P.M., the right under command of Colonel W. J. Behan, consisting of Companies A, B, C, E, and G, Crescent City White League, and the commands of Captains Flood, Andress, Allen, and Shropshire, supported by one twelve-pounder gun, extended from the levee to Tchoupitoulas Street. The center, composed of the commands of Captains Dupré, McIntyre, and Phillips, extended from Tchoupitoulas to Camp Street; the left, with the commands of Captains Roman, Tennison, and Vautier, from Camp to Carondelet Street. Colonel John G. Angell was ordered by me

to take position on St. Charles Street, above Poydras, to guard against attack from the Central Police Station on Carondelet Street. Major J. D. Hill, of the above battalion, with Company E, Lieutenant Richardson commanding, was directed to place himself on the corner of Camp and Common streets, to check any advance of the enemy by way of Chartres and Camp streets. Captain H. D. Coleman's company of artillery, supported by Section D, Crescent City White League, under command of that trusty leader, Captain Archibald Mitchell, together with Captain Dennee's section, were stationed at the corner of Camp and Julia streets, and the Louisiana Rifle Club, together with the unattached forces, under command of Major John Augustin, at the corner of Carondelet and Julia streets, with pickets on the extreme left and right, formed my reserve force and second line of defense. While strengthening my lines and arranging my troops more perfectly, the enemy, consisting of about five hundred metropolitan police, with six pieces of artillery, under Generals Longstreet and Badger, moved by way of Chartres, Peters, and Decatur streets, taking position on Canal Street, about the United States Customhouse and in front of the Iron Building and Mobile Railroad passenger depot, leaving a reserve of the First Louisiana Brigade to guard the State House and arsenal at Jackson Square. At 4.15 P.M., Brigadier-General Badger with about three hundred metropolitans, armed with the most improved weapons, one Gatling gun, and two twelve-pounder Napoleon guns, opened fire upon my extreme right, which was promptly responded to by that gallant, experienced, and vigilant officer, Colonel W. J. Behan, whose celerity and brilliancy of movement are deserving of the highest praise. Captain Pleasants, Section E, C. C. W. L., whose command was armed with improved weapons and amply supplied with ammunition, gained the enemy's flank and poured a deadly fire into their ranks, which caused them to waver.

Captain John Glynn, Jr., finding his piece of artillery useless, acted with the promptness and dash of a trained soldier, and ordered Lieutenant E. A. Guibet to charge, which he did with gal-

lantry, in conjunction with Company A, Captain Vaudry, and B, Captain Lord, down the open levee and street, driving back the enemy and capturing his guns. At the same time Company C, Captain Buck, Company G, Captain Kilpatrick, and commands of Captains Allen, Shropshire, Andress, and Flood, charged down Front, Peters, and Tchoupitoulas streets, forcing the enemy completely from his position. To this result Major J. D. Hill contributed by a timely withdrawal of his command from the position assigned him, and aided materially in driving the metropolitans from their last stand. In the mean time Captain A. B. Phillips was ordered to make a flank movement on the enemy's right, in which he was assisted by Captain Tennison's command and a portion of the St. John White League. He met and dispersed a body of them at the corner of Chartres and Customhouse streets, losing two killed and three wounded, and then returned to his former position in the center of my line.

After removing the captured guns, I resumed my original position with the intention of preparing for an advance early the next day upon the enemy's stronghold below Canal Street; but so complete, in my opinion, was the demoralization of the enemy from the action of Monday, evidence of which I had received during the night from citizens and soldiers active in our cause, corroborated by the surrender to my command of large bodies of metropolitans, that the capture of these strongholds seemed but a question of time. To press this capture, Colonel Angell, supported by Captain Coleman's artillery, was ordered to move forward early in the morning on these points, leaving his position occupied by the commands of Captains Mitchell and McIntyre. By 10 o'clock A.M., Colonel Angell was in full possession of all the enemy's important points below Canal Street, having received material assistance from Captain Macheca. Information of this result was immediately transmitted to our headquarters. The judgment displayed by Colonel Angell, together with the gallantry of his officers and men in effecting these captures, merits the highest commendation.

I take pleasure in mentioning the prompt obedience to all orders and the heroic devotion shown by officers and men throughout my entire command. From the nature of the action, it was not possible for all my forces to have been engaged; but I do not hesitate to state that had the necessity arisen all would have acted equally well. My thanks are especially due to the efficiency and meritorious conduct, before and during the action, of my staff, consisting of Messrs. T. Lee Shute, James Buckner, F. R. Southmayd, John N. Payne, Sam. Flower, Wm. A. Bell, Walter Hare, Dr. J. D. Bruns, J. B. Walton, and Fred. Holyland; to the gentlemen who volunteered as aides, Messrs. Moore, Greenleaf, Pierce, Hardie, Buddendorff, and Tobin; also to Major E. A. Burke and Captain W. B. Krumbhaar, of your staff, for assistance in their respective departments; also to E. C. Kelly, for valuable information furnished; to Messrs. Kursheedt and Bienvenu, for kind services during Monday night and Tuesday. To Messrs. Geo. Williams and W. Robinson, for efficient courier service. To Colonel Robt. Wood, for valuable aid in procuring arms. To Captain W. H. Morgan, for procuring ammunition for captured artillery. To Mr. J. H. Smith, for use of horses for artillery. To Messrs. O. Prieur White, Ed. Ferrigan, and Vinet, for their kind personal services. I must state that where such numerous offers of aids were tendered by citizens, it would be impossible in a report of this kind to make individual mention, and any omission of "special notice" arises from no want of appreciation on my part.

The enemy's loss must have been very heavy, from the numbers of dead and wounded left by them on the field. Their chief, General A. S. Badger, fell into our hands severely wounded. My command suffered in the charge on the 14th a loss of twelve killed and thirteen wounded (several have since died), among them some of our most respected and prominent young citizens. Thus was the life-blood of our best people poured out upon the altar of their country.

Sorrow fills the heart whilst relating that in the nineteenth cen-



tury, an age of boasted civilization, and in the American Union, whose corner-stone is Freedom, there can be found injustice so great as to require a sacrifice so dear. In the signal victory of the 14th of September, we must acknowledge with profound gratitude the hand of a kind and merciful God. The opportunity afforded through the mistaken strategy of a sagacious military leader, by which we were enabled to strike a blow for freedom, which, in decisiveness of character, has scarcely a parallel in history, can surely be ascribed to no human power. To that God who gave us the victory we commit with confidence and hope the spirits of our immortal dead; and strong in the consciousness of right, record anew our holy purpose that *Louisiana shall be free*.

I have the honor, Colonel, to subscribe myself,

Very respectfully,

FRED. N. OGDEN,

*Major-General Commanding.*

T. LEE SHUTE,

*Col. and A. A. G.*

The loss of the White League was sixteen killed and forty-five wounded, and of the metropolitan police, eleven killed and sixty wounded.

On September 15 the State House surrendered, and the Arsenal and Jackson Square were captured by Captain Frank McGloin's Company B of Angell's command. Mr. Kellogg had taken refuge in the Custom-house, the Metropolitan Brigade was completely vanquished, and not a vestige of the government born of Judge Durell's midnight order, and of the decision of the Lynch Returning-Board, remained.

General Ogden said there were twenty-eight hundred men in the White League in New Orleans, but the number of men that responded to Penn's call as militia is said to have been six thousand. The victory was dearly bought by the death of heroic citizens, whose names have been

engraved on the monument erected to them in 1891 at Liberty Place, on the spot made sacred by the blood of martyrs who fell in defense of the freedom and honor of Louisiana. These names are: Antoine Bozonier, Jr., Michael Betz, Charles Brulard, James Crossin, James Considine, Adrien Feuillan, Albert M. Gautier, Joseph K. Gourdain, John Graval, Robert G. Lindsey, F. M. Mohrmann, Samuel B. Newman, Jr., William C. Robbins, E. A. Tolédano, William A. Wells, and John M. West.

At one P.M. on September 15 the citizen-soldiery left the streets of New Orleans, and everything was quiet and peaceful in the city. The barricades were demolished, the horse-cars began to run again, and, sure sign of peace, many ladies appeared on Canal Street. The negroes did not seem to feel any disquietude at the change of government, and not one was molested on the streets. On September 14 Acting-Governor Penn had issued the following proclamation:

TO THE COLORED PEOPLE OF THE STATE OF LOUISIANA: In the grand movement now on foot against the enormities of the rule of Kellogg's usurpation, rest assured that no harm is meant towards you, your property, or your rights. Pursue your usual avocations, and you will not be molested. We war against the thieves, plunderers, and spoliators of the State, who are involving your race and ours in common ruin. The rights of the colored, as well as of the white race, we are determined to uphold and defend.

At two o'clock on September 15 there was an assemblage of several thousand persons in front of Governor

Penn's residence, 230 St. Charles Street. They had met to congratulate him on the success of the preceding day, and all the leading citizens of New Orleans entered the house of the acting-governor to express their joy at the happy turn events had taken and to discuss the prospects of the State. After receiving the citizens, "Governor Penn mounted his carriage and, with Mr. Marr and others, drove down St. Charles Street at the head of the procession of citizens, numbering three or four thousand. The streets on both sides were filled with ladies and gentlemen, the former waving their handkerchiefs, the latter shouting until they were hoarse. Slowly the procession moved down Canal Street and thence to the State House, the street being so filled with people that it was almost impossible to move. Along the route there could not have been fewer than twenty thousand people. At the State House there was great confusion, owing to the immensity of the crowd. Part dashed up the stairs, which cracked and threatened to fall at this overweight; a thousand or more found refuge in the Chamber of Representatives, and the rest rushed out into the gallery. In the street were assembled about ten thousand persons, extending from Bourbon to Chartres, and from Conti to Toulouse." <sup>4</sup>

Governor Penn addressed the people, congratulating them on their rescue from despotism, and on the establishment of peace and order. He called on them to assemble at the various churches on September 16, at eleven o'clock, to offer thanks to God for the great mercies he had shown them, and to implore a continuance of his pro-

tection. E. John Ellis then made a short speech and congratulated the people on their victory. He praised highly Governor Penn and General Ogden, and he counseled peace and order, praying that no act of oppression or intolerance should dim the luster of victory. Robert H. Marr was called for, and said that there must be no disturbances. The citizens owed this to themselves, to vindicate their movement by their good order. They must be just and lenient, especially to the negro. If the people of Louisiana, white and colored, united, the State would once more see peace, prosperity, and happiness. General Ogden was called on to speak, but he excused himself on the ground that he was not a speaker. The speeches did not take more than half an hour, and Governor Penn retired to the Executive Chamber. For more than an hour, however, the crowd remained in the State House cheering Penn, McEnery, Ogden, Marr, and the other leaders of the Fourteenth of September. The government of the people had been installed by the people.

After the meeting at the State House the rumor spread that General Longstreet had been captured, and Mr. Marr addressed an excited assembly in front of the St. Charles Hotel. He congratulated the citizens of New Orleans on the signal victory they had achieved over the usurpation under which they suffered. He hoped that the determined stand they had taken, marked by careful avoidance of all violence, would convince the people and the Government of the United States that the only position they had assumed was, that they must restore the State to the charge of its elected officers, save it from



ruin, and protect its citizens without regard to class or race. It had been rumored that Kellogg and Longstreet were under arrest. He declared that they should be subjected to no indignity. The object of the movement was obtained. Each citizen should now act as a conservator of the peace, and take care that the State received no detriment, by convincing the country by our orderly conduct that we were only endeavoring to secure our just rights, without infringing on the rights or safety of others. A police force was organized, though so general was the careful adherence of the public to order and sense that it seemed almost needless. "For twelve months past," said Mr. Marr in conclusion, "I have labored faithfully for the redemption of this State. If you have any affection for me, if you have any regard for me, if you have any respect for me, as I believe you have, for God's sake, and for my sake, do nothing to tarnish the fair fame of the State of Louisiana, or diminish the brilliancy of the victory you have achieved."

Mr. Marr's address was received with demonstrations of approval. That distinguished and patriotic man now believed that the Louisianians had definitely conquered their freedom. At the installation in office of Governor Penn at the State House, Mr. Marr's face is said to have been "glowing with enthusiasm." That feeling of happiness was shared by many thousands of Louisianians on September 15, 1874, but was soon to be changed to sorrow and gloom.

On September 14 Acting-Governor Penn had sent a

despatch to President Grant, informing him that the people had taken up arms to maintain the legal authority of the persons elected by them against the usurpers who had heaped upon them innumerable insults, burdens, and wrongs. He declared the unswerving loyalty and respect of the people for the United States Government and its officers, and affirmed entire ability to maintain peace and to protect the life, liberty, and equal rights of all classes of citizens. He said in conclusion: "We only ask of you to withhold any aid or protection from our enemies and the enemies of republican rights and of the peace and liberties of the people."

The answer of President Grant was a proclamation dated September 15, 1874, in which he declared that it had "been satisfactorily represented to him that turbulent and disorderly persons have combined together, with force and arms, to overthrow the State government of Louisiana, and to resist the laws and constituted authorities of said State," therefore, he commanded "said turbulent and disorderly persons to disperse and retire peaceably to their respective abodes within five days from this date, and hereafter to submit themselves to the laws and constituted authorities of said State." Troops and men-of-war were ordered to New Orleans, and General William H. Emory was instructed under no circumstances to recognize the Penn government.

Governor McEnery, who was now in New Orleans, expressed his willingness to surrender the State property to General Emory, and the latter ordered General John

R. Brooke to take possession of the arms and other State property that had been seized on September 14 and 15. General Brooke was also appointed to command the city of New Orleans until such time as the State and city governments could be reorganized. On the evening of September 17, Governor John McEnery surrendered the State Capitol and government buildings in the following letter:

GENERAL BROOKE: As the lawful and acting governor of this State, I surrender to you, as the representative of the Government of the United States, the Capitol and the remainder of the property in this city belonging to the State. This surrender is in response to a formal demand of General Emory for such surrender, or to accept as an alternative the levying of war upon our government by the military forces of the United States under his command. As I have already said to General Emory, we have neither the power nor the inclination to resist the Government of the United States. Sir, I transfer to you the guardianship of the rights and liberties of the people of the State, and I trust and believe that you will give protection to all classes of our citizens ruled and ruined by a corrupt usurpation presided over by Mr. Kellogg. Our people could bear the wrongs, tyranny, annoyance, and insults of that usurpation no longer, and they arose in their might, swept it from existence, and installed in authority the rightful government of which I am the head. All lovers of liberty throughout the Union must admit the patriotism that aroused our people to act as one man and throw off the yoke of this odious usurpation. I know as a soldier you have but to obey the orders of the Government of the United States, but I feel that you will temper your military control of affairs with moderation, and in all things exhibit that integrity of purpose characteristic of officers of the army. I now hand over to you, sir, the Capitol and the other property of the State under my charge.

President Grant did not approve General Emory's action in appointing General Brooke to command the city of New Orleans, and said that he should have recognized the State government existing at the time of the beginning of the insurrectionary movement. He was ordered to give Governor Kellogg the necessary support to re-establish the authority of the State government. General Emory replied that there would have been anarchy if he had not placed General Brooke in command of the city as well as of the troops, and that the State authorities represented by Governor Kellogg had asked to defer taking charge for the present. On September 18 General Emory informed Mr. Kellogg of McEnery's surrender, and offered him the necessary military support. Mr. Kellogg then left the Custom-house and returned to the State House.

General Emory, on September 20, reported to the adjutant-general of the United States army that on September 19 the temporary police force had been replaced by the regular police force of the city. He said that some disturbance had been feared, and troops had been posted at various points in the city, but the night had passed very quietly. He added: "I think this may be taken as an evidence that the surrender was complete and in good faith, for, by a peculiarity of the law of Louisiana, the police force of this city is organized under the State law, and under the direct control of the governor." Kellogg's guard was reorganized, but they could do nothing to protect their chief. The government of the latter was supported solely by soldiers of the United States.



Governor McEnery and Lieutenant-Governor Penn issued an address to the people of Louisiana, "no longer citizens of a State, but inhabitants merely of what was once a free State." They urged the people to summon to their aid all their courage and fortitude, their virtue and forbearance, to enable them to submit with becoming dignity to this great calamity. They assured the people that the story of their wrongs, of their long forbearance, of their heroic virtues, displayed as well in the hour of triumph as in misfortunes, would command and receive the sympathy and respect of the civilized world.

An address was also issued by a committee of the conservatives to the people of the United States; and the complete story of Kellogg's usurpation, overthrow, and reestablishment by Federal troops was related with dignity and manliness. Kellogg, in his turn, published an address, in which he tried to defend his administration, and mentioned the reduction of the State debt. This had been accomplished principally by partial repudiation, the funding of bonds at sixty per cent., and the issue of consolidated bonds bearing seven per cent. interest. He declared that he had been elected governor of Louisiana; but he would not have remained in the executive chair one minute if he had not been protected by United States bayonets.

The people of Louisiana deserve great praise for not giving up all hope after the reestablishment of Kellogg, on September 18, 1874. All through their history, as we have already said, they had shown great elasticity, a won-

derful power to recuperate from disasters. The 14th of September, 1874, though apparently barren of results, was really the blow that broke the fetters imposed upon Louisiana by the Reconstruction acts of 1867. On January 9, 1877, the people rose again to achieve the freedom of their State, and the chains, half sundered in 1874, fell to the ground.

## CHAPTER VI

### END OF THE RECONSTRUCTION PERIOD

The election of 1874—The Wells Returning-Board—Meeting of the Legislature, January 4, 1875—Ejection of members of the House by United States soldiers—Extraordinary telegrams of General Sheridan—Grant's defense of the military interference—The "Wheeler Compromise"—Reorganization of the White League—Visiting statesmen in New Orleans—A dual government—On January 9, 1877, citizen-soldiers take possession of the courts, police stations, and arsenal—The Nicholls government established—President Hayes withdraws the United States troops—Packard surrenders the State House.



THE party opposed to Kellogg, having failed in its efforts to oust him permanently from the office of governor, endeavored to obtain some guarantee with regard to a fair election in November, 1874, and an attempt was made to organize an advisory committee of five members to supervise and carry on the registration throughout the State in behalf of all parties; but this was not successful. The election was held on November 2. The Committee of Seventy informed President Grant of the success of the Conservative party at the last general election, and protested against the future occupation of the State by military forces. They said the State House had been garrisoned for weeks by United States soldiers, and the city had pre-

sented more the appearance of a military post than of a great commercial metropolis. The Returning-Board was to meet in the State House on December 11, and the committee could but consider it extremely improper that the important civil work with which that board was charged should be executed in the midst of bayonets of the Federal Government. The committee might have spared itself the trouble of making an appeal to President Grant. His mind had been made since 1872, and he was deaf to all entreaties.

The Conservative and Democratic party claimed the election of four Congressmen out of six, of Moncure, their candidate for State treasurer, and of a large majority in the Legislature. But the Returning-Board, of which ex-Governor J. Madison Wells was president, announced the results of its labors on December 24 as follows: fifty-four Republican and fifty-two Conservative members of the Legislature, and a majority of nine hundred and fifty-eight votes for Dubuclet, the Republican candidate for treasurer. Oscar Arroyo, on December 24, tendered his resignation as a member of the board, whose rulings, he said, were clearly partisan and unjust. Governor John McEnery protested against the decision of the Returning-Board, which he considered "a more crowning infamy than the action of the Lynch Returning-Board," and which "surpassed even the midnight order of Durell, and would not be submitted to by any free people."

It was so evident that the people of Louisiana would not submit to the wrong perpetrated against them, that

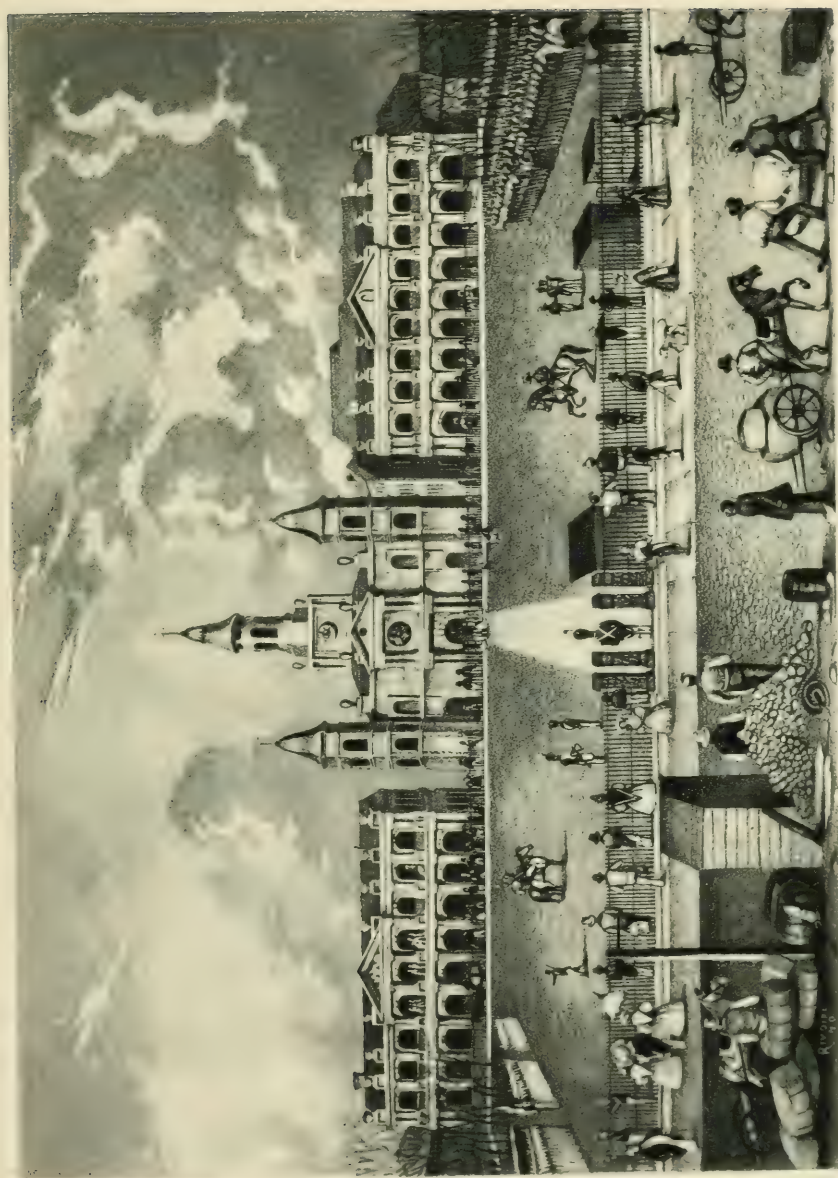


President Grant sent General Sheridan on a trip South, to ascertain for himself and for the President the general condition of matters there, and to assume command of the Military Division of the South if he should see proper to do so. It was unfortunate for the Louisianians that General Sheridan should have had to interfere again in their affairs, inasmuch as he had proved to be such a partisan in 1866 and so extremely hostile to the Conservatives.

The Legislature assembled on Monday, January 4, 1875, and the events of that day caused great excitement all over the United States. At twelve o'clock, noon, the clerk of the last House called the roll of the members, as returned by the Returning-Board, one hundred and six, the full membership of the House being one hundred and eleven. A quorum was declared present, and thereupon, L. A. Wiltz, of Orleans, on motion of John S. Billieu, of Lafourche, took the chair as temporary Speaker. The oath of office was administered to him by W. T. Houston, first justice of the peace in the parish of Orleans, and the oath was administered *en masse* by the Speaker to the returned members. "Mr. Wiltz," the Republicans said, "having previously taken a position near the clerk's desk, as quick as thought, upon the putting of the motion, and without waiting for any announcement of the vote, sprang to the Speaker's desk, where the clerk was standing, seized the gavel from his hand, and pushed the clerk violently off the stand and declared himself temporary Speaker." Motions were made to elect P. J. Trezevant clerk, *pro tem.*, and E. Flood sergeant-at-

arms, *pro tem.*, and were declared carried. Mr. Billieu then made a motion, which was carried, to seat the five members from the parishes of Bienville, De Soto, Grant, and Winn, whose returns had not been promulgated by the Returning-Board and had been referred to the Legislature for its decision. Motions were made for a permanent organization of the House, and, the roll having been called, the vote was announced to be as follows: L. A. Wiltz, fifty-five votes; Michael Hahn, two votes; blank, one vote. Mr. Wiltz took the oath as permanent Speaker, and the members were sworn in by him, to the number of fifty-nine, including five Republicans. The permanent organization of the House was effected by the election of Mr. Trezevant as chief clerk and Mr. Flood as sergeant-at-arms. We quote what followed from the memorial addressed by the Conservative members of the House to Congress. It is corroborated almost completely by the report of a Congressional committee.

The Speaker then announced that the House was ready for business, and notices of contest of election were given. On motion of Mr. Dupré, of Orleans, a committee of seven on elections and returns was appointed, consisting of Messrs. Dupré, Pipes, Carlross, Young, Hammond, Hahn, and Thomas. In the mean while, during the proceedings in the House, an additional number of police, with a crowd of disorderly persons, entered the lobby and engaged in menacing altercation with the Sergeant-at-arms and his ten assistants. Finding that the Sergeants-at-arms were contending with the mob, the Speaker endeavored to procure the attendance of additional Sergeants-at-arms, and for this purpose addressed a note to the officials who were in possession and







control of the barricaded doors of the State House, to allow fifty citizens to be admitted for that purpose. This request, made in writing, was refused. About one o'clock P.M., the disturbance in the lobby grew serious, and a conflict was imminent. Then, in order to avoid a collision, General de Trobriand, of the United States army, who had some time previously entered and occupied the State House with his soldiers, was sent for. After entering the hall he was addressed by the Speaker as follows: "General de Trobriand, at the request of the members of the House of Representatives, I have sent for you to say that the House of Representatives of the State of Louisiana is organized, with myself as permanent Speaker, and to request you, if your orders will permit, to please say a few words to the unruly persons in the lobby, and thereby prevent bloodshed. I feel and know that I can maintain the dignity of the House, but it is not my wish, nor that of the members of the House, to bring on a conflict. Hence you will oblige me if you will say a few words to the lobby."

The General then retired to the lobby and spoke to the crowd, which then dispersed, and order was restored. After this interruption, the House proceeded with its business, the Committee on Elections and Returns reported, and upon their report the following named representatives were duly sworn in and seated as members: Messrs. John O'Quinn, of the parish of Avoyelles; J. J. Horan, A. D. Land, and Thomas R. Vaughan, of the parish of Caddo; J. Jeffries, R. L. Luckett, and G. W. Stafford, of the parish of Rapides, and William F. Schwing, of the parish of Iberia.

Afterward, while the proceedings of the House were quietly progressing, about the hour of three o'clock P.M., General P. R. de Trobriand, commanding the United States troops in and around the State House, entered the hall, in uniform, his sword by his side, and accompanied by two of his staff, and by Mr. Vigers, the former Clerk of the House, and addressed Speaker Wiltz, exhibiting the documents of which the following are copies:

“STATE OF LOUISIANA, EXECUTIVE DEPARTMENT,

“NEW ORLEANS, January 4, 1875. †

“*General de Trobriand, commanding:*

“An illegal assembly of men having taken possession of the hall of the House of Representatives, and the police not being able to dislodge them, I respectfully request that you will immediately clear the hall and State House of all persons not returned as legal members of the House of Representatives by the Returning-Board of the State.

“W. P. KELLOGG,

“*Governor.*”

“STATE OF LOUISIANA, EXECUTIVE DEPARTMENT,

“NEW ORLEANS, January 4, 1875.

“*General de Trobriand:*

“The Clerk of the House, who has in his possession the roll issued by the Secretary of State as the legal members of the House of Representatives, will point out to you those persons, now in the hall of the House of Representatives, returned by the legal Returning-Board of the State.

“W. P. KELLOGG,

“*Governor.*”

The Speaker refused to allow Mr. Vigers to read those documents, he not being Clerk of the House; and, at the request of General de Trobriand, they were read by his adjutant. Speaker Wiltz then asked General de Trobriand: “Have you submitted these documents to General Emory?” General de Trobriand answered: “I have not, but I presume some duplicate copies have been sent to him.”

Speaker Wiltz: “General, I wish to say to you that since our organization we have admitted, sworn in, and seated, five members from referred parishes. Are these members to be ejected?”

General de Trobriand: "I am but a soldier, these are my orders. I cannot enter into the consideration of that question." The General further said that he was under instructions to obey the orders of Governor Kellogg.

Speaker Wiltz: "I respect you, General, as a gentleman and soldier, and dislike to give you trouble; but I, like you, have a duty to perform, which I owe to my State, to maintain the dignity and authority of my position as Speaker of the House of Representatives. Force will have to be used before I can permit you to execute your orders."

Upon the refusal of Speaker Wiltz and Mr. Trezevant, the Clerk, to point out the persons, and the refusal of Speaker Wiltz to allow Mr. Vigers to call the roll for the purpose of identifying the members, Hugh J. Campbell and T. C. Anderson assisted General de Trobriand in identifying the members to be ejected. General de Trobriand then ordered his soldiers, fully armed and with fixed bayonets, into the hall, from the lobby, and approached the members successively, while they were in their seats, to wit: O'Quinn, Vaughan, Stafford, Jeffries, Luckett, Dunn, Kelley, Horan, and Land, and one by one he caused them to be taken from the hall by his soldiers, each gentleman first rising in his place and entering his solemn protest, in the name of his constituents, against the unlawful expulsion.

Thus were these gentlemen ignominiously arrested, and despite their appeals to the Speaker and the House for protection, which neither could afford, were taken from their seats and forcibly ejected from the hall of the House of Representatives of the State of Louisiana, at the point of the bayonet, by the officers and soldiers of the United States army.

General de Trobriand then proceeded to eject the Clerk, and arrested the proceedings of the Assembly, and for that purpose brought a file of soldiers to the Speaker's stand; when the Speaker arose and addressed the House as follows:

"As the legal Speaker of the House of Representatives of the State of Louisiana, I protest against the invasion of our hall by

the soldiers of the United States, with loaded muskets and fixed bayonets. We have seen our brother members violently seized and by force of arms torn from us in spite of their solemn protest. We have seen a file of soldiers march up the aisle of the hall of the Representatives of Louisiana, and have protested against this in the name of a once free people. In the name of the down-trodden State of Louisiana, I again enter my solemn protest. Gentlemen, the chair of the Speaker of the House of Representatives of the State of Louisiana is in the possession of armed forces, and I call upon the representatives of the State of Louisiana to retire with me from their presence." The Speaker then left the hall, followed by all the Conservative members, the hall being left in possession of the military.

If we have dwelt thus somewhat at length upon the details of the military overthrow of a sovereign State, and her reduction to a province, it is that other States may see and know the process whereby the overthrow of their own liberties may be accomplished. We solemnly warn the American people, jealous of their liberties, that a military power dispersing a House of Representatives in the State of Louisiana may yet serve as a precedent to shackle them and their posterity, if, in the hour of trial, standing, as we do to-day, amid the ruins of constitutional liberty, they leave us to our fate.

A special Congressional committee of three members visited New Orleans, and reported, on January 14, 1875, to the full committee, of which Representative George F. Hoar was chairman. The special committee was composed of representatives Charles Foster, William Walter Phelps, and Clarkson N. Potter. They said they witnessed the convening of the Louisiana House of Representatives.

Mr. Potter, refusing to go inside the bar, remained outside, while Messrs. Foster and Phelps were seated inside and near to



the Speaker's chair. Mr. Potter remained only until Wiltz was elected Speaker, and states nothing as to what subsequently occurred. Mr. Foster remained about an hour longer, until he learned that the military were about to enter under Governor Kellogg's orders. The doings in the State House on the 4th of January, as seen by the committee or subsequently in evidence, were substantially as follows:

The committee then gave a narrative of the organization of the House and the following account of the military interference:

Outside of the bar of the legislative hall in the State House there were a large number of police, supported by the Federal troops. No person was permitted to enter the State House except through the orders of Governor Kellogg. Within the bar of the House were permitted only the gentlemen returned by the Returning-Board, and the Clerk and Sergeant-at-arms of the former Legislature, ten persons allowed to the Conservatives as messengers, who suddenly became their assistant Sergeants-at-arms, and a few other persons, such as were admitted by courtesy to the floor. Without the bar, in the lower part of the hall, stood the contestants and other persons admitted; they numbered by actual count one hundred and twenty-seven. Besides, the door of the hall was kept by twenty-seven police. Wiltz maintained control of the Assembly until some time after he was chosen Speaker. When the Republicans undertook to withdraw from the hall, Mr. Wiltz gave instructions to the Sergeant-at-arms not to allow any one to pass out or to enter the hall. Then the disturbance without the bar increased, and pistols were displayed, when, at this juncture, a Conservative member moved that the Speaker be requested to ask Colonel de Trobriand to preserve order. A committee was appointed to wait on Colonel de Trobriand and request his compliance. Colonel de Trobriand came to the bar unac-

accompanied, except by one aide, whom he left there, and then alone approached the Speaker. The Speaker requested him to ask for order in the lobby. Colonel de Trobriand did so, and order was then restored. The Speaker thanked him in the name of the House for his courtesy, and he withdrew. The action of the body proceeded for an hour or so without interruption, during which time a committee on contested seats was appointed; but no message was sent to the Senate or Governor notifying them that the House was organized and ready to proceed to business; when at length Colonel de Trobriand returned and stated he had orders to remove the five members sworn in who had not been returned by the Returning-Board; and, after the protest and resistance of Mr. Wiltz and the persons referred to, and after General Campbell had been sent for to point them out, they were removed by the United States marshals. Mr. Wiltz then left the chair, as Mr. Vigers, to organize the House, began to call the roll made out by the Returning-Board; and two Democratic members had answered to their names, when Mr. Wiltz interrupted the Clerk, and called upon the Conservative members to refuse to answer and to leave the hall. The interruption over, Mr. Vigers began anew his roll-call, and obtained only five responses, but as the two Democratic members had just answered on the roll-call which was interrupted, he assumed it right to announce that fifty-four members had answered to their names.

Those who remained after Mr. Wiltz and his friends withdrew elected Hahn Speaker by acclamation, and proceeded to the business of the Legislature. There was no subsequent roll-call by which the number of those members whose names were returned by the Returning-Board, and who still remained present at these deliberations, could be determined.

The committee were not able to agree upon any recommendation, but they all agreed upon the situation in Louisiana. Their report, in that respect, was very

damaging to Kellogg, and was really a vindication of the action of the White League on September 14.

If Louisiana was a country by itself, McEnery and his associates would at once be installed in power; but the Conservatives of Louisiana do not propose to fight the Federal Government. They submit, not because they want to, but because they must; not because they proclaim any enmity against the flag, not because of any hostility to the colored people because they are colored, but because they regard themselves as defrauded out of the election of 1872, and yet more out of the last election, and because they think their State government has been to the last degree destructive and corrupt. Indeed, in our judgment, the substantial citizens of the State will submit to any fair determination of the question of the last election, or to anything by which they can secure a firm and good government. What they seek is peace and an opportunity for prosperity. To that end they will support any form of government that will afford them just protection; in their distress they have got beyond any mere question of political party.

The Congressional committee said that the people of Louisiana sought peace and an opportunity for prosperity, and yet General Philip H. Sheridan, who assumed command of the Department of the Gulf in the evening of January 4, 1875, stigmatized the Louisianians as "banditti." The following are General Sheridan's extraordinary telegrams:

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,

NEW ORLEANS, LA., January 4, 1875.

*The Hon. W. W. Belknap, Secretary of War, Washington:*

It is with deep regret that I have to announce to you the existence in this State of a spirit of defiance to all lawful authority,

and an insecurity of life, which is hardly realized by the General Government or the country at large. The lives of citizens have become so jeopardized that, unless something is done to give protection to the people, all security usually afforded by law will be overridden. Defiance to the laws and the murder of individuals seem to be looked upon by the community here from a standpoint which gives impunity to all who choose to indulge in either, and the civil government appears powerless to punish, or even arrest. I have to-night assumed control over the Department of the Gulf.

P. H. SHERIDAN,  
*Lieutenant-General.*

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,  
NEW ORLEANS, January 5, 1875.

*The Hon. W. W. Belknap, Secretary of War, Washington:*

I think the terrorism now existing in Louisiana, Mississippi, and Arkansas could be entirely removed, and confidence and fair dealing established, by the arrest and trial of the ringleaders of the armed White Leagues. If Congress would pass a bill declaring them banditti, they could be tried by military commission. This banditti, who murdered men here on the 14th of last September, also more recently at Vicksburg, Miss., should, in justice to law and order, and the peace and prosperity of this Southern part of the country, be punished. It is possible that, if the President would issue a proclamation declaring them banditti, no further action need be taken, except that which would devolve upon me.

P. H. SHERIDAN,  
*Lieutenant-General U. S. Army.*

NEW ORLEANS, January 6, 1875.

*The Hon. W. W. Belknap, Secretary of War, Washington:*

The city is very quiet to-day. Some of the banditti made idle threats last night that they would assassinate me, because I dared



to say the truth. I am not afraid, and will not be stopped from informing the Government that there are localities in this department where the very air has been impregnated with assassination for some years.

P. H. SHERIDAN,  
*Lieutenant-General Commanding.*

The statement made by a lieutenant-general of the United States army that he was not afraid was most absurd, and covered General Sheridan with ridicule. The charges he had made against the people of Louisiana were denied by the New Orleans Cotton Exchange and other organizations, and the following "Appeal to the American People" was published on January 5, 1875:

*Whereas*, General Sheridan, now in command of the Division of the Missouri, under date of the 4th inst., has addressed a communication to the Hon. W. W. Belknap, Secretary of War, in which he represents the people of Louisiana at large as breathing vengeance to all lawful authority, and approving of murders and crimes; and *Whereas*, He has given to that communication full publicity:

We, the undersigned, believe it our duty to proclaim to the whole American people that these charges are unmerited, unfounded, and erroneous, and can have no other effect than that of serving the interests of corrupt politicians, who are at this moment making extreme efforts to perpetuate their power over the State of Louisiana.

N. J. PERCHÉ, Archbishop, New Orleans.

J. P. B. WILMER, Bishop of Louisiana.

JAMES K. GUTHEIM, Pastor Temple Sinai.

J. C. KEENER, Bishop M. E. Church, South.

C. DOLL, Rector St. Joseph's Church.

And many others.

R. H. Marr, chairman of the Committee of Seventy, issued an address to the people of Louisiana on January 5, 1875, and counseled prudence and forbearance; and John McEnery addressed President Grant, protesting against the acts of the military forces of the United States at the State House on January 4. The Senate of the United States called upon the President for information concerning the alleged interference by the military forces with the organization of the General Assembly of the State of Louisiana, and President Grant sent a special message to the Senate on January 13, 1875. He gave the history of the troubles in Louisiana since the election of 1872, and said:

It has been bitterly and persistently alleged that Kellogg was not elected. Whether he was or not, it is not altogether certain, nor is it any more that his competitor, McEnery, was chosen. The election was a gigantic fraud, and there are no reliable returns of the result. Kellogg obtained possession of the office, and, in my opinion, he has more right to it than his competitor.

It would have been interesting to know on what grounds President Grant based his opinion, since, at the very beginning of the contest between Kellogg and McEnery, he refused to listen to the arguments of the latter. The President declared that he gave no orders or suggestions to any military officer in Louisiana regarding the organization of the Legislature on January 4, and said he was well aware that any military interference with the organization of a State Legislature or any of its proceedings, or with any civil department, was repugnant to American ideas of government. He added, however:

But there are circumstances connected with the late legislative imbroglio in Louisiana which seem to exempt the military from any intentional wrong in the matter, knowing that they had been placed in Louisiana to prevent domestic violence and aid in the enforcement of the State laws. The officers and troops of the United States may well have supposed that it was their duty to act when called upon by the Governor for that purpose.

President Grant's defense of the military interference is very weak, for he must have felt that he was primarily responsible by having so persistently used the troops of the United States to support Kellogg in an office obtained at an election that was "a gigantic fraud." Congress also was to blame for the unfortunate situation in Louisiana, which was the direct result of the Reconstruction acts of 1867.

A second Congressional committee, appointed to investigate affairs in Louisiana, reached New Orleans on January 22, 1875. This committee was composed of Representatives George F. Hoar, William A. Wheeler, William P. Frye, and Samuel S. Marshall. Their labors resulted in an agreement known as the "Wheeler Adjustment" or "Compromise," which was adopted in February, after some opposition, by a caucus of the Conservatives, and finally ratified at an extra session of the Legislature called for the purpose on March 24, 1875. The "Wheeler Adjustment" was as follows: The members of the Conservative party claiming to have been elected members of the House of Representatives, and that their certificates of election were illegally withheld by the Returning-Board, agreed to submit their

claims to seats to the award and arbitrament of the Congressional committee, and likewise the persons that claimed to have been elected senators for the Eighth and Twenty-second Senatorial districts. The persons that held certificates of election from the Returning-Board agreed that, upon the coming in of the award of the arbitrators, if it was ratified by the Committee on Elections and Qualifications of the body claiming to be the House of Representatives, they would attend the sittings of the House for the purpose of adopting the report, and if said report were adopted and the members embraced in it were seated, then they agreed to vote for the following resolution:

*Whereas*, Doubts have existed, and still exist, as to the legal results of the election in this State in the month of November, 1872; and *Whereas*, It is alleged, and by a large portion of this State believed, that the result of the election for members of the House of Representatives and for Treasurer, in the month of November last, was illegally determined and promulgated by the Returning-Board; and *Whereas*, it is deemed necessary to the welfare of the State that an adjustment of the foregoing difficulties should be effected: therefore be it hereby

*Resolved* by the General Assembly of the State of Louisiana, That said Assembly, without approving the same, will not disturb the present State government, claiming to have been elected in 1872, known as the Kellogg government, or seek to impeach the Governor for any past official acts, and that henceforth it will accord to said Governor all necessary and legitimate support in maintaining the laws and in advancing the peace and prosperity of the people of this State; and that the House of Representatives, as to its members as constituted under the award of George F. Hoar, William A. Wheeler, William P. Frye, and Samuel S. Mar-



shall, shall remain without change, except by resignation or death of members, until a new general election; and that the Senate as herein recognized shall also remain unchanged, except so far as that body may itself make changes on contests.

At the extra session of the Legislature twelve persons who had been excluded by the Returning-Board were seated in the House under the award of the Congressional committee. Mr. Wiltz abandoned his claims to the Speakership, Mr. Hahn resigned the office, and E. D. Estillette was elected Speaker. The "Wheeler Compromise" was the only relief the Conservatives could hope for during the administration of President Grant, but they never acquiesced in the Kellogg usurpation, and they presented a memorial to Congress in January, 1876, in which they said that the people of Louisiana solemnly swore that they would not abandon their struggle for the right of self-government. One more year was to elapse before Louisiana could regain her freedom.

The Legislature met on January 3, 1876, and the House of Representatives endeavored to abolish the Returning-Board. The Republican Senate, however, defeated the measure. Judge Jacob Hawkins, of the Superior District Court, was removed from office for arbitrary conduct and incompetency, and a committee of the House, appointed to examine the accounts of the auditor and treasurer, made a report in February recommending that "Governor Kellogg and Treasurer Dubuclet be impeached." On February 28 the House adopted the majority report of a committee, which recommended that William P. Kellogg, "acting governor," be impeached

for high crimes and misdemeanors. These were said to have been committed since the adoption of the "Wheeler Compromise." A committee was appointed to prepare articles of impeachment, and the Senate was notified of the proceedings. The latter body, sitting as a High Court of Impeachment, presided over by Chief-Justice Ludeling, notified the House, after 6 P.M., that it would allow until 7 P.M. for the presentation of charges. None, of course, could be presented in the short time allowed, and the impeachment was dismissed, and Governor Kellogg was declared acquitted. Nevertheless, on March 1 the House adopted fourteen articles of impeachment, and on March 2, the last day of the session, resolutions were adopted protesting against the partisan and arbitrary conduct of the Senate, which had "deprived the people of the State of an opportunity of bringing to trial the chief magistrate of the State, charged with high crimes and misdemeanors, and with criminal neglect and violation of his official duty." Governor Kellogg replied to the accusations against him, and said that in a time of great public exigency he had sanctioned a temporary diversion of the State funds, which had not resulted in the loss of a dollar to the State.<sup>1</sup>

At the time of the attempted impeachment of Governor Kellogg the companies of the White League were reorganized in New Orleans. They were soon to be used in establishing permanently the government elected by the people in 1876. At the election in November the polls in New Orleans were watched all day and all night by members of the White League, and the election was

held in the city with no disturbances, and with very few in the country parishes. The tickets of the Democrats and of the Republicans were headed respectively by Francis T. Nicholls and Louis A. Wiltz, and by S. B. Packard and Cæsar C. Antoine. President Grant was anxious that the result of the election should not be tainted by the suspicion of illegal or false returns, and he instructed General Christopher C. Augur to see that the proper and legal board of canvassers be unmolested in the performances of their duties, and to report any suspicion of fraudulent count on either side. The President requested several gentlemen belonging to the Republican party to witness in New Orleans the workings of the Returning-Board. The most distinguished of these visiting statesmen were John Sherman and James A. Garfield, and associated with them, among others, were Stanley Matthews and General Lew Wallace. Several Democrats were requested also by the chairman of the National Democratic Committee to visit New Orleans, and among them were John M. Palmer, William R. Morrison, Samuel J. Randall, Lyman Trumbull, J. W. Stevenson, and Henry Watterson.

The Returning-Board was composed of J. Madison Wells, Thomas C. Anderson, and Louis M. Kenner and Gadane Casanave, colored. Oscar Arroyo had resigned from the board, and the vacancy was not filled, in spite of the protest of the Democrats. The board refused in several respects to comply with the law, canvassed the returns as it pleased, and promulgated the result on December 6, 1876. It de-

clared elected all the Republican candidates for Presidential electors, although twenty-five hundred ballots bore the names of only three electors, and declared also the election of the Republican State ticket headed by Packard and Antoine. Governor *de jure* McEnery certified to the election of the Democratic electors, and the Democratic Committee on Returns declared the election of Nicholls and Wiltz and of the whole Democratic State ticket, and of four Democrats and two Republicans to Congress.

The Democratic visiting committee made a report on December 6, 1876, to the chairman of the National Committee, of which the following were the conclusions: "With the law and such facts before us as have been disclosed by the action of the Returning-Board, we do not hesitate to declare that its proceedings, as witnessed by us, were partial and unfair, and that the result it has announced is arbitrary, illegal, and entitled to no respect whatever." The report was signed by John M. Palmer, Lyman Trumbull, William Bigler, George B. Smith, George W. Julian, and P. H. Watson. In an appeal to the people of the United States they said: "It is a significant fact that in the parishes where it is alleged that voters were kept from the polls by intimidation the total vote was as large as at any time heretofore. An honest and fair canvass of the returns, even under the Louisiana law, cannot materially reduce Tilden's majority as shown on the face of the returns."

The Republican committee, on the other hand, made a report to President Grant, in which they said:



It [the Returning-Board] is a tribunal from which there can be no appeal, and in view of the possible consequences of its adjudication, we have clearly observed its proceedings, and have carefully weighed the force of a large mass of the testimony upon which that adjudication has been reached. Members of the board, acting under oath, were bound by the law, if convinced by the testimony that riot, tumults, acts of violence, or armed disturbance did materially interfere with the purity and freedom of election, at any poll or voting-place, or did materially change the result of the election thereat, to reject the votes thus cast, and exclude them from their final return. Of the effect of such testimony the board was the sole and final judge, and if in reaching a conclusion it exercised good faith and was guided by an honest desire to do justice, its determination should be respected even if, upon light proof, a different conclusion might have been reached by other tribunals or persons.

The signers of the report were John Sherman, Edwin W. Stoughton, J. H. Van Alen, Eugene Hale, James A. Garfield, Cortland Parker, William D. Kelley, Sidney Clark, and J. C. Wilson.

The reports of the two committees, signed by honorable men, one of whom, Garfield, was soon to be President of the United States, are curious examples of the influence that can be exerted on men's views by party spirit.

On January 1, 1877, Governor Kellogg barricaded the State House, and admitted as members of the Legislature only those who had certificates from the Returning-Board. The Democrats went to St. Patrick's Hall and organized a Legislature there. Louis A. Wiltz presided over the Senate, and Louis Bush was elected Speaker of the House. At the Republican Assembly Cæsar C.

Antoine presided over the Senate, and Michael Hahn was Speaker of the House. On January 2 the Republican Legislature declared the election of Packard and Antoine, and on the same day the Democratic Assembly declared that Nicholls and Wiltz were elected governor and lieutenant-governor respectively.

On January 8, 1877, Francis T. Nicholls was inaugurated at St. Patrick's Hall, and read his inaugural address from the balcony. He was received with enthusiasm by an immense throng, which had followed him from Canal Street, and which filled Camp Street and Lafayette Square. In Nicholls Louisiana had at last, after many years, a governor *de jure* and *de facto* worthy of her. It was in vain that Packard was inaugurated at the State House, the old St. Louis Hotel on Royal Street. His government, like that of Kellogg, could have been maintained only by United States troops, and President Grant was no longer willing to use the military to establish State governments. In his last message to Congress, on December 5, 1876, the President had said:

It was my fortune, or misfortune, to be called to the office of Chief Executive without any previous political training. From the age of seventeen I had never even witnessed the excitement attending a Presidential campaign but twice antecedent to my own candidacy, and at but one of them was I eligible as a voter. Under such circumstances it is but reasonable to suppose that errors of judgment must have occurred. Even had they not, differences of opinion between the Executive, bound by an oath to the strict performance of his duties, and writers and debaters must have arisen. It is not necessarily evidence of blunder on the part

of the Executive because there are differences of views. Mistakes have been made, as all can see and I admit, but it seems to me oftener in the selections made of the assistants appointed to aid in carrying out the various duties of administering the government—in nearly every case selected without a personal acquaintance with the appointee, but upon recommendation of the representatives chosen directly by the people. It is impossible, when so many trusts are to be allotted, that the right parties should be chosen in every instance. History shows that no administration, from the time of Washington to the present, has been free from these mistakes. But I leave comparisons to history, claiming only that I have acted in every instance from a conscientious desire to do what was right, constitutional, within the law, and for the best interests of the whole people. Failures have been errors of judgment, not of intent.

History has acquitted President Grant of errors of intent, but his errors of judgment with regard to Louisiana were very great and very unfortunate. In 1872 he decided without sufficient investigation that Kellogg was the legal governor of Louisiana, and he stubbornly persisted in this opinion, even after the people had risen almost unanimously against the usurper and had driven him away from the Capitol of the State. President Grant, for four years, did immense harm to Louisiana. Fortunately, at the end of his second term of office, he understood his error and did not order United States troops to install Packard's government and to maintain it against the will of the people.

On January 9, 1877, the White League in New Orleans, or citizen-soldiers, as they were called, assembled to the number of about six thousand, under the command of

General Frederick N. Ogden, and took possession of the courts, police stations, and arsenal. The companies were formed at 6 A.M. on Lafayette Square, and marched down Camp Street to Canal, then to Decatur Street, and down Decatur Street to Jackson Square. When they were passing by the Custom-house, the United States soldiers waved their handkerchiefs from the windows of the building and cheered the citizen-soldiers. The latter, on arriving at Jackson Square, were formed in line and were ordered on St. Peter Street to advance toward the Cabildo, or Supreme Court Building, which was guarded by Packard's police with several Napoleon and Gatling guns. The members of the White League were armed with all kinds of guns—fowling-pieces, Winchester rifles, and some with antiquated and heavy rifles which had been taken the night previous at the French Opera House, where they had been used by the "soldiers" on the stage. After some parleying, Packard's troops, who were not numerous, but were admirably armed, surrendered and left the Cabildo, amid the jeers and hootings of an immense crowd that had assembled around the White Leaguers. A volunteer guard from the Roman Rifles, Captain P. Léonce Bouny, occupied the Cabildo from the evening of January 9 to the evening of January 10. The citizen-soldiers took pleasure in eating their meager supper seated on the cannon which they had captured without firing a shot. Each man in the building bore a commission as special deputy sheriff, and the whole movement, on January 9, was executed in an orderly and legal manner. Governor Nicholls, on the same day, issued a



proclamation to the people, in which he said: "Let no one be injured, however obnoxious he may be, and let the people of the whole country see that we are law-abiding, just, and moderate." The Supreme Court appointed by Governor Nicholls proceeded to business. The judges were: chief justice, Thomas C. Manning; associate justices, Robert H. Marr, Alcibiade De Blanc, William B. Egan, William B. Spencer. The clerk of the court was Colonel Alfred Roman. Justice Egan died, and was succeeded by Edward D. White, who some years later became a justice of the United States Supreme Court.

January 9, 1877, is one of the most important dates in the history of Louisiana. On that day the government elected by the people was firmly established without bloodshed. President Grant ordered General Augur to preserve the *status quo* between the governments of Nicholls and Packard, but the latter had only the State House in his possession. He made this his stronghold, and it was understood by the Democrats that the State House should not be attacked as long as the United States troops were not removed from the city. For nearly four months the citizen-soldiers of New Orleans guarded the courts and police stations, each company in its turn being on duty. Corporal's guards of the White League patrolled the streets in the neighborhood of the Cabildo, and sentinels on Toulouse Street were separated only by the width of the street from Packard's sentinels, who guarded the rear entrance to the State House.

Packard made an appeal to President Grant on March

1, 1877, for the recognition of his government, and received the following reply:

EXECUTIVE MANSION, WASHINGTON, March 1, 1877.

*Governor S. B. Packard, New Orleans, La.:*

In answer to your despatch of this date, the President directs me to say that he feels it his duty to state frankly that he does not believe public opinion will longer support the maintenance of State governments in Louisiana by the use of the military, and that he must concur in this manifest feeling. The troops will hereafter, as in the past, protect life and property from mob violence when the State authorities fail; but under the remaining days of his official life they will not be used to establish or to pull down either claimant for control of the State. It is not his purpose to recognize either claimant.

C. C. SNIFFIN,

*Secretary.*

The knowledge that the Federal Government would not recognize Packard as governor in 1877 was bringing about the disintegration of the Republican Legislature. On January 13 two senators went over from the State House to the Nicholls Legislature, and P. B. S. Pinchback acknowledged the legality of the Democratic government. On January 10 the Packard Legislature, which never had a legal quorum in the Senate, had elected William P. Kellogg United States senator. Pinchback, who had been elected to that office some time previously, was never admitted, and James B. Eustis, elected in 1875, was seated on February 10, 1877.

Governor Nicholls issued a proclamation on March 1, 1877, enjoining the maintenance of peace and recom-

mending a spirit of harmony among all classes. The Congressional investigating committees that had visited Louisiana had made strictly partisan reports; but it was believed that Mr. Hayes, if he became President, would adopt a policy that would give to the people of Louisiana the right to control their own affairs in their own way, subject only to the Constitution of the United States. Assurance to that effect was given to General John B. Gordon, of Georgia, and John Y. Brown, of Kentucky, by Stanley Matthews and Charles Foster, of Ohio.<sup>2</sup>

On March 24, 1877, Governor Nicholls issued another proclamation to the people, announcing that the State government was now complete in all its branches, and calling upon them to discharge their pecuniary obligations to the State, in order that it might meet all just claims against it, and as an appreciation of the fact that it was the one chosen by the people. The proclamation ended with an expression of thanks to "the patriotic men who, on the 9th day of January, 1877, responded to the call of the civil authorities of this State, to prevent the illegal attempts to oust them from their legal possession of the court buildings, and who have since quietly, thoroughly, and most patiently performed their duties as citizens."

On March 28 President Hayes appointed a commission that was to go to Louisiana and endeavor to remove the obstacles to an acknowledgment of one government, or, failing in this, to accomplish the recognition of a single Legislature as the depository of the representative will of the people. The President wished to be informed as

to the conditions in Louisiana with regard to the maintenance and protection of the rights and privileges conferred upon all citizens by the Constitution of the United States, as he was "extremely desirous to find it in his power, at the earliest day compatible with a sage exercise of that authority, to put an end to even the appearance of military intervention in the civil affairs of Louisiana." Secretary of State William M. Evarts drew up instructions for the guidance of the commission, which was composed of General Joseph R. Hawley, of Connecticut; Judge Charles B. Lawrence, of Illinois; General John M. Harlan, of Tennessee; ex-Governor John C. Brown, of Tennessee; and Wayne McVeagh, of Pennsylvania.

The commission was well received in New Orleans, where a mass meeting was held, April 6, to welcome it and to claim the right of self-government. The Legislature extended to the commissioners the hospitalities of the State, and adopted a joint resolution defining the policy of the Nicholls government, which was: impartial enforcement of the law, education of all classes of the people, and promotion of kindly relations between the white and the colored citizens of the State, on a basis of justice and mutual confidence. Governor Nicholls transmitted the joint resolution to the commission on April 18 and expressed his approval of it. He added the most emphatic assurances that the withdrawal of the United States troops to their barracks would be followed by no disturbance of the peace, and would be a source of profound gratification to the people.

Several members of the Packard Legislature went over



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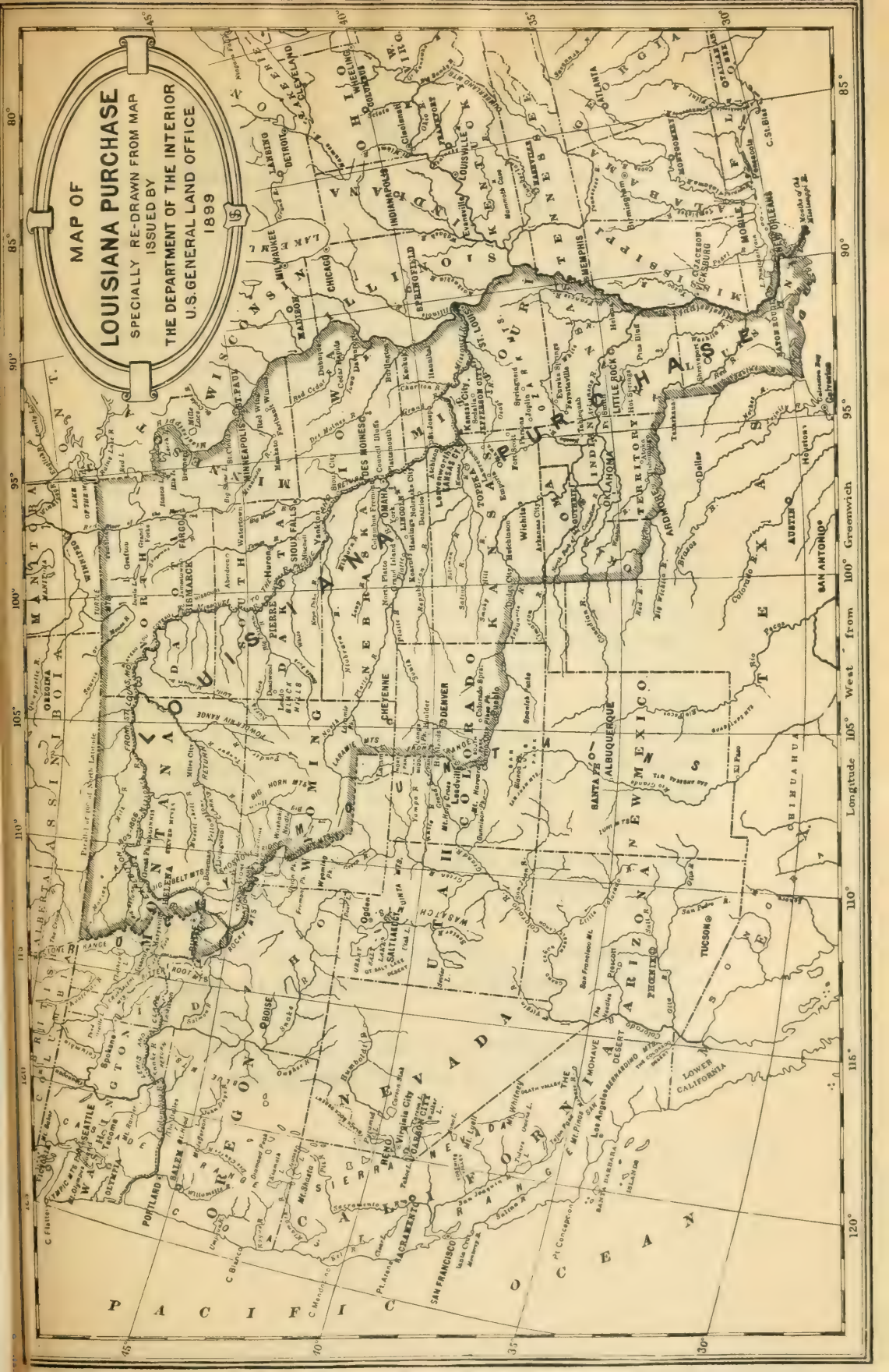
LOUISIANA PURCHASE

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to the Nicholls Legislature, which was meeting in extra session at Odd-Fellows' Hall, and on April 20 President Hayes directed that the troops be removed at an early date from their present position in New Orleans to such regular barracks as might be selected for their occupation. On April 21 the Packard Legislature dispersed, and on the same day the commission made their report to the President. They reviewed the relative situation of the two governments in Louisiana from the beginning, mentioned the fact that a considerable sum of money in the form of taxes had been paid voluntarily into the State treasury, and said that the Packard Legislature, on its own theory of law, did not have a quorum in the Senate. The commission further declared that the counsel for the Nicholls government did not claim that the Legislature could not create a returning-board in regard to the appointment of Presidential electors. This statement was evidently made for the purpose of quieting President Hayes concerning the validity of his election; for it appeared extremely curious that Nicholls should have been declared legally elected, while the electoral votes were given to Hayes, instead of to Tilden. If Hayes was elected, so was Packard, unless the commission's statement about the Returning-Board and the Presidential electors was correct.

The Legislature of Louisiana that was recognized by the President's commission elected Henry M. Spofford to the United States Senate; and the Packard Legislature, which, according to the same commission, never had a legal quorum, elected William P. Kellogg to the Sen-



ate. The seat was refused to Mr. Spofford, and Mr. Kellogg was seated and served six years.

President Hayes deserves the gratitude of the Louisianians for putting an end to military intervention in their domestic affairs, but it is difficult to understand how he could have recognized Nicholls and at the same time considered himself legally elected President of the United States. Packard's claims were logically as good as those of the President.

On April 24 the United States troops were removed from the vicinity of the State House, and General Ogden and the citizen-soldiers took possession of the Capitol, which was peacefully surrendered by Packard. On April 28, 1877, General Ogden issued the following general orders complimenting his men:

The Major-General commanding takes pride in acknowledging to the citizen soldiers of Louisiana his cordial approval of their conduct during the trying events of the past four months. On the 9th of January, at the summons of your lawful Governor, by the irresistible moral force of your organization, you placed the Executive of the people's choice in possession of the public offices of the State without firing a shot. Such a triumph, bloodlessly won, should be doubly dear to every true American citizen. Under your voluntary and unrecompensed guardianship, maintained by night and by day at the sacrifice of every private interest, the peace of this great city, through months of anarchy, has been perfectly preserved; nor has any man, however justly odious, suffered in body or estate for his political opinions. You have given enduring proof that a well-ordered militia is the best security of free states, and justified the wisdom of our fathers in securing to the people forever the constitutional right to keep and



to bear arms. Your steadfast loyalty and uncompromising firmness, your courage, constancy, and discipline, have been a bulwark against the encroachments of tyranny, and an impregnable safeguard to the whole community. You will carry to your homes, and bear with you through life, the grateful remembrance of a ransomed State, and the consciousness of having exhibited in a rare degree those civic virtues upon which alone the hope of republican institutions rests. In the name of all the people of the State of Louisiana, the Major-General commanding returns his heartfelt thanks.

FRED. N. OGDEN,  
*Major-General.*

The period of Reconstruction in Louisiana ended on April 24, 1877. The Louisianians had borne their sufferings manfully, and they obtained their freedom from the yoke of ignorant negroes and corrupt adventurers by their own energy and courage. There were surely honorable Republicans in the State during the days of Reconstruction; but their party represented then, everywhere in the South, the rule of the negro, and the Southern people, for deliverance from their evils, applied to the Democratic party. Democratic governors repaired the harm done by Warmoth and Kellogg, and Louisiana appeared to awake, in April, 1877, from a hideous nightmare. Her history from that date presents a more pleasant picture.

## CHAPTER VII

### THE REVIVAL OF LOUISIANA

Quiet and contentment—The epidemic of 1878—The Constitution of 1879—The University of Louisiana—The Eads jetties—Governor Louis A. Wiltz—Governor Samuel D. McEnery—The flood of 1882—The levee system—The mayors of New Orleans from 1872 to 1882—Establishment of the Tulane University of Louisiana—The Cotton Centennial Exposition—The North, Central, and South American Exposition—Governor Nicholls reelected—The Young Men's Democratic Association in New Orleans—Progress of the public-school system—Death of Jefferson Davis in New Orleans.



IN his first annual message to Congress, December 3, 1877, President Hayes referred to the discontinuance of the use of the army for the purpose of upholding local governments in two States of the Union, and added: "The results that have followed are indeed significant and encouraging. All apprehension of danger from remitting those States to local self-government is dispelled, and a most salutary change in the minds of the people has begun and is in progress in every part of that section of the country once the theater of unhappy civil strife, substituting for suspicion, distrust, and aversion, concord, friendship, and patriotic attachment to the Union."

The fortunate situation in the Southern States mentioned by the President might have been obtained eight

years sooner if the people had been allowed their constitutional right of self-government, instead of being oppressed by governments imposed upon them by Federal laws and Federal troops. Governor Nicholls, on January 8, 1878, in his message to the Legislature, corroborated President Hayes's words about the situation in Louisiana since the removal of the troops, and said: "To-day peace and quiet prevail throughout the State; political excitement has ended; the voice of the people is everywhere respected; the rights of all are fully guaranteed; the laws, through the instrumentality of the courts, are properly and impartially administered and enforced; and in spite of the unpropitious season, which has disappointed the expectations of our agriculturists, and marred to some extent the bright material prospects of 1877, there exists a strong feeling of hope, relief, and content among all classes in Louisiana." The governor reported the total of consolidated interest-bearing debt, when refunding should have been completed, to be \$11,-785,293.21, and he recommended the most rigid economy in the administration of the affairs of the State. He said that the system of public education inaugurated under the provisions of the act of 1877 was progressing with all the success possible, considering the means at the disposal of the Department of Education, "crippled by the squandering and malversation of the school fund under the former administration." He referred to the levees in process of construction, and to the energetic and faithful work done by the Board of State Engineers that was created in 1877. In speaking of the militia, Governor

Nicholls said that no one more than he was desirous to encourage a martial spirit in the State, and that no one had juster reasons to appreciate, recognize, and publicly acknowledge how strongly, deeply, and patriotically that feeling exists among the good people of the city and of the State. "During the troubles through which Louisiana has now happily passed, her sons coolly, quietly, but steadily and firmly stood ready to assist and maintain, even to the death, the supremacy of her legally constituted authorities; their patriotic devotion to duty, gallantry, and patient endurance were all called into requisition at that critical period, and were specially exhibited upon several conspicuous occasions under your own eyes. They deserve, and have, the warmest gratitude of their fellow-citizens."

Governor Nicholls ended his message with a solemn protest against the recent action of a majority of the United States Senate in refusing to Louisiana the representation in that body to which she was entitled. The Legislature protested also against the rejection of Judge Spofford and the admission of Mr. Kellogg, and expressed its approval of the policy of President Hayes toward the Southern States. Large retrenchments of expenditure in the administration of the State, of the city of New Orleans, and of the parishes were effected by the Legislature in 1878.

In January, 1878, Thomas C. Anderson, president of the Returning-Board, was brought to trial for uttering forged and counterfeit returns, from the parish of Vernon, of an election held on November 7, 1876. He was



convicted and sentenced to a confinement of two years in the penitentiary. The State Supreme Court, however, set aside the verdict of the jury, and its decision implied that the trial should have resulted in an acquittal, "not because the act charged was not committed, but because, when committed, it constituted no crime known to the laws of the United States." <sup>1</sup>

The year 1878 was sadly marked by a terrible epidemic of yellow fever in New Orleans. It spread over a large extent of country in Louisiana and the Gulf States, and in New Orleans nearly four thousand persons died, among them General John B. Hood. The Howard Association did noble work in attending to the sick and their families, and contributions for their relief came from all parts of the United States and from foreign countries. It is most fortunate for New Orleans and the whole State that yellow fever has been banished forever from Louisiana. That happy result was obtained through the efficient system of quarantine inaugurated in 1885 by Dr. Joseph Holt, president of the Board of Health. With proper sanitation and quarantine, New Orleans has nothing to fear from the dreaded disease that long impeded her progress, and that has been proved to be not indigenous to her soil.

On December 6, 1878, a mass meeting was held in New Orleans, and fervent thanks were tendered to all who had contributed to the relief of the people in the late affliction. The Legislature also, in January, 1879, tendered earnest and heartfelt thanks to the philanthropists who contributed \$1,100,000 to the relief of the sufferers.

In 1879 Benjamin F. Jonas was elected United States senator, to succeed James B. Eustis. Mr. Jonas had been one of the most zealous and patriotic citizens in the struggle against the Reconstruction governments. The Legislature passed a bill to repeal the charter of the Louisiana State Lottery, which had been granted in 1868, but the law was inoperative, as it was regarded as violating a regular contract. An act was passed to provide for a constitutional convention. The election for delegates was held on March 18, 1879, and the convention assembled in New Orleans on April 21. The president was Louis A. Wiltz, and the secretary William H. Harris. The Constitution was adopted on July 23, 1879. It was the first of the constitutions of Louisiana that acknowledged and invoked the guidance of Almighty God, "the Author of all good government." Like the Constitution of 1868, it has a bill of rights. The most important provisions are as follows:

The General Assembly shall meet biennially; it shall have no power to contract, or to authorize the contracting, of any debt or liability, in behalf of the State, or to issue bonds or other evidence of indebtedness thereof, except for the purpose of repelling invasion or for the repression of insurrection. No person shall be eligible to the office of governor or lieutenant-governor who shall not have attained the age of thirty years, have been ten years a citizen of the United States, and a resident of the State for the same period next preceding his election. The governor shall receive a salary of four thousand dollars per annum, and the lieutenant-governor a salary which

shall be double that of a member of the General Assembly. By the Constitution of 1868 the governor's salary was eight thousand dollars, and that of the lieutenant-governor four thousand dollars, and the candidates for these offices were required only to be citizens of the United States and residents of the State two years next preceding their election. There was no prohibition in the Constitution of 1879 of the governor's succeeding himself. The legislative powers were very much limited, while those of the governor were very large.

Courts of Appeal were added to the judiciary department, and the judges of the Supreme Court received each five thousand dollars per annum. The Constitution of 1868 gave seventy-five hundred dollars to the chief justice, and seven thousand to each of the associate justices. The seat of government was transferred to Baton Rouge, and the Legislature was ordered to make the necessary appropriations for the repair of the State House. The citizens and city council of Baton Rouge tendered a subscription of thirty-five thousand dollars for repairs to the State House.

The Legislature was allowed to provide for the publication of the laws in the French language, and to prescribe that judicial advertisements in certain designated cities and parishes should be made in that language.

The following provisions with regard to lotteries were very important:

The General Assembly shall have authority to grant lottery charters or privileges, provided that each charter or privilege shall pay not less than forty thousand dollars per annum in money

into the treasury of the State; and provided, further, that all charters shall cease and expire on the first of January, 1895, from which time all lotteries are prohibited in the State.

The forty thousand dollars per annum now provided by law to be paid by the Louisiana State Lottery Company according to the provisions of its charter, granted in the year 1868, shall belong to the Charity Hospital of New Orleans, and the charter of said company is recognized as a contract binding on the State for the period therein specified, except its monopoly clause, which is hereby abrogated, and all laws contrary to the provisions of this article are hereby declared null and void, provided said company shall file a written renunciation of all its monopoly features, in the office of the Secretary of State, within sixty days after the ratification of this Constitution.

Of the additional sums raised by licenses on lotteries, the hospital at Shreveport shall receive ten thousand dollars annually, and the remaining sum shall be divided each year among the several parishes in the State for the benefit of their schools.

Gambling was declared to be a vice, and the General Assembly was ordered to enact laws for its suppression.

The qualifications of electors were as follows:

Every male citizen of the United States, and every male person of foreign birth who has been naturalized, or who may have legally declared his intention to become a citizen of the United States before he offers to vote, who is twenty-one years old or upward, possessing the following qualifications, shall be an elector and shall be entitled to vote at any election by the people, except as hereinafter provided:

1. He shall be an actual resident of the State at least one year next preceding the election at which he offers to vote.

2. He shall be an actual resident of the parish in which he offers to vote at least six months next preceding the election.



3. He shall be an actual resident of the ward in which he offers to vote at least thirty days preceding the election.

The State tax on property for all purposes whatever was not to exceed six mills on the dollar. A levee system was to be maintained in the State. The general exercises in the public schools were to be conducted in the English language, and the elementary branches taught therein; "provided, that these elementary branches may also be taught in the French language in those parishes in the State, or localities in said parishes, where the French language predominates, if no additional expense is incurred thereby."

The funds derived from the collection of the poll-tax were to be applied exclusively to the maintenance of the public schools, and the school fund of the State was to consist of:

1. The proceeds of taxation for school purposes, as provided in this constitution.

2. The interest on the proceeds of all public lands heretofore granted by the United States for the use and support of the public schools.

3. Of lands and other property which may hereafter be bequeathed, granted, or donated to the State or generally for school purposes.

4. All funds or property other than unimproved lands, bequeathed or granted to the State, not designated for other purposes.

5. The proceeds of vacant estates falling under the laws to the State of Louisiana.

A university for the education of persons of color was to be established in New Orleans; the Louisiana State

University and Agricultural and Mechanical College, at Baton Rouge, was recognized, and likewise the University of Louisiana, at New Orleans, in its three departments—the law, the medical, and the academical.

The academical department of the University of Louisiana was reorganized and opened on November 4, 1878. The professors were: Richard H. Jesse, dean and professor of Latin and Greek and English literature; J. L. Cross, professor of mathematics and natural science; M. P. Julian, professor of French; and R. B. Montgomery, professor of penmanship and commercial course. The president of the Board of Administrators was Judge John H. Kennard. Sixty students were matriculated the first year in the academical department of the University of Louisiana, and in 1879 a preparatory department or high school was organized, with Alcée Fortier as principal and E. L. Bemiss as associate. In 1879–1880 there were eighty-eight students in the college department and eighty-nine in the high school, and both departments were reorganized in October, 1880. In the college Richard H. Jesse remained dean, and Brown Ayres was elected professor of physics, mechanics, and chemistry; Robert Sharp, of Greek and English language; J. Hanno Deiler, of German; and Alcée Fortier, of French language and literature. Lyman C. Reed was elected principal of the high school, with five associate teachers. The courses were modeled after the system of the University of Virginia, and were elective. The academical department of the University of Louisiana received ten thousand dollars annually from the State, and was very successful until its

absorption into the Tulane University of Louisiana in 1884.

The constitutional convention adopted an ordinance relative to the State debt, to be voted upon by the people at the election to be held for the ratification or rejection of the Constitution. It was as follows: The interest on the consolidated bonds was fixed at two per cent. per annum for five years from January, 1880; three per cent. thereafter, payable semi-annually. An annual tax, not exceeding three mills, was to be levied for the payment of the interest. The holders of the bonds had the option to exchange their bonds for bonds of the denomination of five dollars, one hundred dollars, five hundred dollars, and one thousand dollars, to be issued at the rate of seventy-five cents on the dollar of bonds held and to be surrendered by such holders; the new issue to bear interest at the rate of four per cent. per annum, payable semi-annually.

The ordinance on the State debt was amended in 1882: after January, 1885, an interest of four per cent. per annum was to be paid semi-annually.

The Constitution of 1879 was a great improvement on that of 1868, and was ratified by the people in December.

In 1879 the Eads jetties at the mouth of the Mississippi River were practically completed. This great work was accomplished in spite of obstacles of all kinds, and Captain James B. Eads deserves the gratitude of the people of the whole Mississippi valley. The principle he applied was not new, but it was owing to his energy and perse-

verance that the work was done. We have seen that, as early as 1723, Engineer Pauger suggested a plan somewhat similar to that of Captain Eads for deepening the mouth of the Mississippi.<sup>2</sup> Little was accomplished in that respect in colonial times, and, guided by Engineer E. L. Corthell, we shall see what was done by the government of the United States.<sup>3</sup> Not till 1837 was an appropriation made by Congress for a survey of the passes and for deepening them by dredging with buckets. The surveys exhausted the appropriation, and in 1852 an appropriation of seventy-five thousand dollars was made, and a board of army officers was appointed to report a plan of operations. The board made several recommendations, and the first, that of stirring up the bottom with machinery, was adopted. In 1853 a depth of eighteen feet was obtained in Southwest Pass, but this was soon lost, and no other appropriation was made until 1856. In that year three hundred and thirty thousand dollars were appropriated, and Craig and Rightor contracted to open Southwest Pass and Passe-à-l'Outre twenty feet deep and three hundred feet wide, and to maintain the channel four years and a half. "They constructed, on the east side of Southwest Pass, a jetty about a mile long, built of a single row of sheet piling, which, with the assistance of harrowing and dredging, deepened the channel to eighteen feet." The government continued the work, which the contractors were unable to complete, and maintained a depth of eighteen feet in 1859 and 1860. During the Civil War nothing was done, and in 1869 a steam-propeller was constructed at a cost of three hundred



and fifty thousand dollars, and another one soon afterward. It was ascertained that dredge-boats could not maintain a greater depth than eighteen feet.

In the mean time plans had been proposed for a permanent outlet. In 1832 Major Benjamin Buisson, chief engineer of Louisiana, designed a plan for a ship-canal "at a point a few miles below Fort St. Philip, to connect the Mississippi River with the waters of Breton Sound." The plan was approved by the Legislature of Louisiana and was brought to the notice of Congress. In 1837 Major William H. Chase estimated the construction of the canal at ten million dollars, and in 1858 the idea was revived by Engineer R. Montaigu, who obtained the approval of the merchants of New Orleans. In 1871 Major C. W. Howell was ordered by the Secretary of War, by request of Congress, to make surveys and plans for a ship-canal, and in 1874 a board of army officers made a report favoring the scheme and opposing the jetty plan. "Their objections to the jetty system were: first, that the jetties would be undermined at the sea ends; second, that the foundation on which they would rest was unstable; and third, that there would be a greatly accelerated advance of the bar after the jetties were constructed."

General Andrew A. Humphreys, chief of engineers, United States army, approved the majority report, and estimated the cost of jetties to produce a depth of twenty-seven feet, at Southwest Pass, twenty-three million dollars; at South Pass, seventeen million dollars; and the cost of Fort St. Philip Canal, thirteen million dollars. Gen-

eral John G. Barnard dissented from the report of the majority, and spoke of the inestimable advantages of an open river mouth.

In May, 1873, James B. Eads examined the bars of the river in company with a Congressional committee, and expressed an opinion favorable to the jetty system. In February, 1874, he made a formal proposition to Congress to open the mouth of the Mississippi River by making and maintaining a channel twenty-eight feet deep between the Southwest Pass and the Gulf of Mexico, for the sum of ten million dollars, at the sole risk of himself and his associates. Not a dollar was to be paid by the government until a depth of twenty feet had been secured, when he was to receive one million dollars for each additional two feet, or a total of five million dollars when twenty-eight feet had been obtained. The remaining five million dollars were to be paid in annual instalments of five hundred thousand dollars each, conditional on the permanence of the channel for ten years.

There was much opposition to the proposition of Captain Eads, especially from New Orleans, which was in favor of a ship-canal, while St. Louis supported the jetty plan. Captain Eads on March 15, 1874, explained his views in a letter to the Hon. William Windom, of the United States Senate. He said:

The improvement of the mouth of the Mississippi proposed by me consists in an artificial extension of the natural banks of one of the passes, from the point where they commence to widen and disappear in the Gulf, to the crest of the bar, about five miles distant.

In 1852 a mixed naval and engineer board, of which Captain G. T. Beauregard was a member, had reported that the "project of jetties is based upon the simple fact that, by confining the waters which now escape uselessly in lateral directions to a narrow channel, the depth of this narrow channel must be increased—in other words, the existing bar must be cut away."

General Humphreys opposed strenuously the Eads proposition, and so did Professor C. G. Forshey and ex-Governor P. O. Hébert, who were sent to Washington as delegates by the Chamber of Commerce of New Orleans. The House of Representatives passed a bill appropriating eight million dollars to begin the Fort St. Philip Canal; but the Senate adopted as a substitute for it a bill authorizing the appointment of a commission to decide upon the proper method of opening the mouth of the Mississippi. The commission was to comprise three engineers from the army, three from civil life, and one from the United States Coast Survey. They made examinations of rivers in Europe, and their report was presented to Congress on January 15, 1875. It was favorable to the jetty system, and gave the preference to South Pass. Captain Eads made another proposition to make a channel thirty feet deep at the mouth of Southwest Pass for eight million dollars, but the bill finally passed by Congress in 1875 authorized him to build jetties at South Pass, and agreed to pay him five million two hundred and fifty thousand dollars for constructing the works and obtaining a depth of thirty feet in the channel, and the annual sum of one hundred thousand dollars for each year

that the depth of thirty feet should be maintained during twenty years after first securing the said depth. The channel was to be three hundred and fifty feet in width on attaining a depth of thirty feet, and payments were to be made by the government at different periods, when the channel attained certain depths. The maximum channel required by the contract with the government was obtained in the summer of 1879. The jetties consist of mattresses of willow sunk with stone and held in place by piles. The east jetty is two and one third miles long, and the west jetty one and one half miles. The maximum dimensions of the channel were reduced by an act of Congress on March 3, 1879, so as to read "twenty-six feet in depth, without regard to width."

Engineer Corthell, in concluding his very complete "History of the Jetties," says that "in a score of centuries the South Pass jetties may be buried beneath the vast deposits which the river floods will accumulate upon and even beyond them, as the delta advances into the Gulf; and it may be necessary for some generation in the distant future to repeat the work of this"; but the jetty principle has been proved to be in perfect harmony with the laws of nature, and "jetties will be maintained forever."

On October 6, 1879, the Democratic State Convention assembled in New Orleans, with Felix P. Poché as chairman. It nominated Louis A. Wiltz for governor and Samuel D. McEnery for lieutenant-governor, and tendered the thanks of the people to Governor Nicholls for his patriotism and public services.



The Constitution of 1879 was ratified at the election on December 8, and Wiltz and McEnery were elected by large majorities. The General Assembly met at New Orleans on January 12, 1880, and Governor Wiltz sent his message on January 15. He praised the work of the constitutional convention, and called the attention of the members of the Legislature to the fact that they were expected to put the new machinery of government into practical and successful operation.

Governor Wiltz died on October 16, 1881, and Lieutenant-Governor McEnery took the oath of office as governor on October 17. In a message to the Legislature, which met in extra session in December, Governor McEnery referred in feeling terms to the death of President Garfield and to that of Governor Wiltz. The latter died in the thirty-eighth year of his age, and it was said that "few men of his years had the same varied experience in all the departments of government, from the lowest to the highest, all of which he filled in succession. His promotion was from one position to another in regular progression, thus showing that he had filled all places to the credit of himself and to the advantage of the public." Governor McEnery deprecated the cry of "Poor Louisiana and her impoverished people." He said energetically that the State was rich and should be forced to the front rank.

In 1882 preparations were being made to celebrate the two-hundredth anniversary of the discovery of the mouths of the Mississippi by La Salle, when the great river broke through its banks in many places and inundated

two hundred and three thousand acres of land. There was terrible devastation of property by the overflows, and great distress. Congress came to the help of the sufferers, issuing 1,966,000 rations costing \$218,630, which were distributed among 130,000 of the destitute, and sending tents for the homeless. Governor McEnery took immediate measures to remove the people from the inundated districts to safer localities. Several boats were chartered by the State, loaded with forage, medicines, and provisions, and sent to the relief of the sufferers.

From the first levee made in front of New Orleans by Engineer Leblond de la Tour, and from those made by the planter Joseph Dubreuil, the burden of levee construction and maintenance remained, until after the Civil War, a servitude upon the lands of the riparian proprietors. During the war the levees were neglected, and during the Reconstruction period little was accomplished, although about eleven million dollars were spent upon the levees. The work was carried on under a State Board of Levee Commissioners, under a Board of Public Works, and by a contract with the Louisiana Levee Company. "Between 1865 and 1877," says Chief State Engineer Henry B. Richardson, "the condition of the levee system was hardly better than it had been twenty years before. The levees in Desha and Chicot counties, Arkansas, upon which North Louisiana is as dependent for protection as upon her own, were broken and destroyed along almost every bend of the river, while at home the great crevasses at Ashton, Diamond Island Bend, Morganza, and Bonnet Carré had remained wide open for years, and

many miles of levees existed that, on account of lack of means, had been built with grades known and designed to be three and four feet lower than the level of previous high water.”<sup>4</sup>

From the year 1877 rapid progress was made in the construction of levees, but the great flood of 1882 caused such destruction that the people felt discouraged. “In August, 1882,” says Major Richardson, “the Mississippi River Commission made its first allotment for levee-building from the funds placed at its disposal for the improvement of the river, and new levees were built by the United States, closing most of the crevasses which had occurred during the flood of 1882.” The amount expended by the commission for levee work in Louisiana, and in that part of Arkansas of equal importance to the people of Louisiana, has been to date (1903) about \$9,600,000. The State of Louisiana has expended, from 1865 to 1903, about \$23,345,000. The actual height of the levees on the Mississippi averages more than twelve feet, but many long stretches are more than twenty feet in height, “and there are many dikes across sloughs or bayous, mostly on the Red and Atchafalaya, and on the Mississippi above the mouth of the Red, of great height—some of them over forty feet.”

There are fourteen levee districts in Louisiana having boards of commissioners, for which the Board of State Engineers are *ex-officio* the engineers and advisers, except for the Orleans district, in which their duties are limited to the approval or disapproval of levee locations on the river front. The levee system is now very efficient,

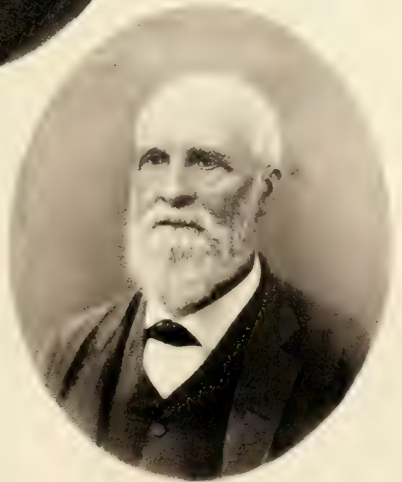
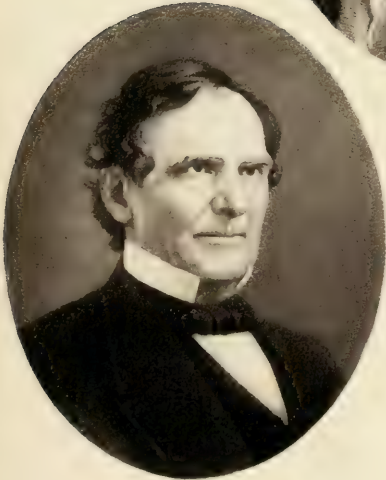
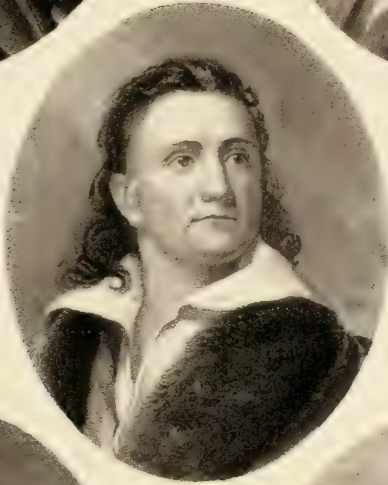
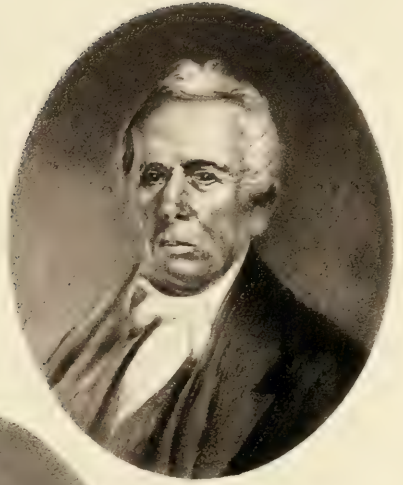
and crevasses through which the waters of the great river rush madly and beautifully are of rare occurrence.

The Legislature granted to the city of New Orleans a new charter in 1882. There was a legislative department consisting of a council of thirty members, and an executive department consisting of a mayor, treasurer, comptroller, commissioner of public works, and commissioner of police and public buildings—all elected by the people. The Council elected the other officers—surveyor, city attorney, etc. The mayors of New Orleans from 1872 to 1882 were: Louis A. Wiltz, Charles J. Leeds, Joseph A. Shakespeare, and William J. Behan.

On June 18 and 19, 1883, a Levee Convention was held at Baton Rouge, which resulted in an improvement of the levee system of the State. Governor McEnery gave much attention to the levees during his term of office. He was nominated for governor for a second term, and was elected in April, 1884. Clay Knobloch was elected lieutenant-governor. During the primary elections in New Orleans there were disturbances at the polls, and on December 14, 1883, Captain Jean Michel Fortier was killed in the Seventh Ward. He had been a brave soldier during the Civil War, had served in Glynn's company on the 14th of September, and at the time of his death was making an earnest and fearless struggle against ring politicians for the cause of good government.

In 1884 the University of Louisiana became the Tulane University of Louisiana through the munificence of Paul Tulane, of Princeton, New Jersey, who had long been a







successful merchant in New Orleans. He was a son of a Frenchman who had immigrated to Santo Domingo and had escaped from the island with his wife at the time of the insurrection of the negroes, and settled at Cherry Valley, near Princeton. There Paul Tulane was born in 1801. He went to New Orleans in 1822, and resided there until 1873, when he removed permanently to Princeton. On April 18, 1881, Mr. Tulane told General Randall Lee Gibson, United States senator from Louisiana, that he wished to give his property in New Orleans for the education of the white youth of Louisiana. A plan to put the gift into effect was drawn by General Gibson, and Mr. Tulane sent the plan and a letter expressing his intentions to Dr. Tobias G. Richardson, of New Orleans, "with the request," says General Gibson, "that he would call in consultation Judge Charles E. Fenner, Judge Edward D. White, and Mr. James McConnell, who had been designated by Mr. Tulane, and put the whole matter into shape, according to the laws of Louisiana. Their advice was also desired in the selection of additional administrators and for the execution of the trust." The first Board of Administrators chosen by Mr. Tulane consisted of the above-named gentlemen and of Edgar H. Farrar, Paschal N. Strong, Rev. Benjamin M. Palmer, Rev. Hugh Miller Thompson, Charles A. Whitney, Samuel H. Kennedy, Walter R. Stauffer, Cartwright Eustis, Henry Ginder, John T. Hardie, Robert M. Walmsley, and William O. Rogers. General Gibson was president of the board. Mr. Tulane added largely to his first gift until the amount given by him aggregated one million and fifty

thousand dollars. He died on March 26, 1887, and was buried at Princeton, New Jersey.

The Board of Administrators decided to found an institution of learning, and in January, 1883, they elected Colonel William Preston Johnston president of the proposed institution. Colonel Johnston was then president of the Louisiana State University at Baton Rouge, and had been a professor at Washington and Lee University in Virginia. He was a son of General Albert Sidney Johnston, and was an able and chivalric man. He drew up a broad and enlightened plan for the organization of the university, which has progressed wonderfully and has been one of the chief factors in the intellectual development of the people of Louisiana. The H. Sophie Newcomb Memorial College for women became one of the departments of Tulane University in 1886, with Brandt V. B. Dixon as president. It was founded and largely endowed by Mrs. Josephine Louise Newcomb, of New York City, the widow of Warren Newcomb, formerly an esteemed merchant of New Orleans. The principal benefactors of the Tulane University of Louisiana, besides Paul Tulane and Mrs. Newcomb, have been Mrs. Ida A. Richardson, widow of Dr. Tobias G. Richardson, who was for many years dean and professor of surgery in the medical department of the University of Louisiana, and later of the Tulane University of Louisiana, and Mrs. Caroline Tilton. Mrs. Richardson gave a sum sufficient to erect a new building for the medical department, and Mrs. Tilton gave funds for the erection of a new library building.



The World's Industrial and Cotton Centennial Exposition was held in New Orleans, in the Upper City Park (now Audubon Park), from December 16, 1884, to May 31, 1885. The purpose was to celebrate the one-hundredth anniversary of the production, manufacture, and commerce of cotton. The commissioners appointed by the President were Albert Baldwin, Gustavus A. Breaux, Duncan F. Kenner, John T. Moore, Simon Hershheim, Edmund Richardson, Edward M. Hudson, Samuel H. Buck, William B. Schmidt, Thomas Hardeman, Jr., Robert M. Patton, Frank C. Morehead, and Jules C. Denis. Edmund Richardson was president of the Board of Management, Frank C. Morehead was commissioner-general, and Edward A. Burke, director-general. The capital stock was fixed at five hundred thousand dollars, and Congress appropriated one million dollars as a loan to the Exposition. Later Congress appropriated three hundred and thirty-five thousand dollars for final aid to the Exposition, and fifteen thousand dollars for the department of woman's work. The classification of the objects exhibited comprised ten groups, as follows: 1, agriculture; 2, horticulture; 3, raw and manufactured products, and ores, minerals, and woods; 4, furniture and accessories; 5, textile fabrics, clothing and accessories; 6, the industrial arts; 7, alimentary products; 8, education and instruction; 9, works of art; 10, pisciculture. There was also a very interesting historical exhibit, which was made by a committee of women of New Orleans.

The Exposition was opened on December 16, 1884, with exercises in Music Hall. The Rev. T. DeWitt Tal-

mage, of New York, offered a prayer, and then there were speeches by Director-General E. A. Burke and President Edmund Richardson, reading of a telegram from President Arthur, an address by Governor Samuel D. McEnery, reading of a centennial poem written by Mrs. Mary Ashley Townsend, a telegram from Congress, and a cablegram from the Liverpool Cotton Association. At ten minutes past three President Arthur, at the White House, touched the electric key that started the machinery in the Exposition.

In 1784 the cotton crop of Louisiana was 3200 pounds. In 1884 it was 3,757,544,422 pounds.

The main building of the Exposition was very large, and the exhibits were important and interesting. Horticultural Hall has remained as a souvenir of the Exposition, and is filled with beautiful flowers and trees, among which may be seen several tall palm-trees. Many foreign governments participated in the Exposition, which demonstrated the remarkable progress made by the Southern people, and opened new fields of enterprise to the United States in Mexico and Central America.

Following the Cotton Centennial Exposition, and at the same place, the North, Central, and South American Exposition was opened on November 10, 1885. Both expositions greatly benefited New Orleans, which developed considerably from that time.

During the session of the Legislature in 1886 a Sunday law was passed. It closed all places of business, except certain specified classes, from midnight Saturday till midnight Sunday. But it was very unpopular in New

Orleans, and attempts were made without effect to repeal it at subsequent sessions of the General Assembly.

From August, 1887, to January, 1888, there was an exciting political campaign in the State for the gubernatorial nomination. The two candidates were Governor Samuel D. McEnery and ex-Governor Francis T. Nicholls. The latter was nominated by the Democratic State Convention on January 10, 1888, and was elected on April 18. James Jeffries was elected lieutenant-governor. Ex-Governor McEnery was appointed a judge of the Supreme Court. The Legislature elected General Randall Lee Gibson to succeed himself in the United States Senate, and Edward D. White to succeed James B. Eustis.

In New Orleans the Young Men's Democratic Association, under the leadership of William S. Parkerson, opposed the ring politicians and ward bosses. The members of the association formed clubs all over the city, and guarded the polls with military squads fully armed with pistols and rifles. The election was very orderly, and resulted in a triumph for the association and its reform ticket. Joseph A. Shakespeare was elected mayor, and his administration was thoroughly business-like and honest. His predecessor had been J. Valsin Guillotte.

At the beginning of his second term of office, Governor Nicholls gave particular attention to the development of the public-school system, which had been in a wretched condition during the Reconstruction period. Attempts had been made in New Orleans to mix the races in the schools, under a State law imposing severe

penalties upon any person that refused admission to any public school of the State to a pupil on account of "race, color, or previous condition," but the enforcement of this law had been energetically resisted. Gradually, under the direction of William O. Rogers, city superintendent, the schools of New Orleans rose to a high degree of efficiency. The public-school system of the State progressed considerably under the direction of State Superintendents Robert M. Lusher, Edwin H. Fay, Warren Easton, and Joseph A. Breaux, and in 1888 a State Board of Education was established, consisting of the governor, the attorney-general, and the superintendent of education, *ex-officio*, and six citizens to be appointed by the governor, one for each Congressional district. The first board constituted under the law of 1888 was composed of Governor Nicholls, Attorney-General Walter H. Rogers, Superintendent of Education Joseph A. Breaux (since a judge of the State Supreme Court), Franklin Garrett, William H. Jack, William Clegg, C. E. Cate, the Rev. Isaac L. Leucht, and Professor Alcée Fortier.

In October, 1889, indictments were found by the grand jury at New Orleans against ex-Treasurer Edward A. Burke for illegally issuing large amounts of bonds and for negotiating bonds that should have been destroyed. Mr. Burke was then in London, and instead of returning to New Orleans to meet the charges against him, he went to Spanish Honduras, where he has since resided.

On December 6, 1889, Jefferson Davis died in New Orleans at the house of Judge Charles E. Fenner. His body was taken to the City Hall, where it lay in state in



the Council-chamber and was viewed by a long procession of mourners. On December 11 the remains were conveyed to the tomb of the Army of Northern Virginia at Metairie Cemetery, followed by thousands of persons. The body was accompanied by the State National Guard, and was borne to the grave with booming of cannon, on an artillery caisson drawn by six horses. The funeral services were conducted by Bishop John A. Gallaher, of the Protestant Episcopal Church. The Governors of Louisiana, Georgia, Mississippi, North and South Carolina, Florida, Kentucky, and Arkansas were present, and the governors of the former Confederate States who could not attend sent representatives. His remains were afterward transferred to Richmond, Virginia.

Jefferson Davis will always be remembered by the Southern people as a sincere patriot. He represented a cause which has disappeared forever, but for which thousands of noble men died. He passed the last years of his life at Beauvoir, Mississippi, on the Gulf Coast, in dignified retirement.

## CHAPTER VIII

### PROGRESS AND PROSPERITY

The anti-lottery campaign—The Mafia in New Orleans—Governor Murphy J. Foster—Celebration of the four-hundredth anniversary of the discovery of America—Death of General G. T. Beauregard—The archdiocese of New Orleans—Dissatisfaction of the sugar-planters with the tariff bill—The Citizens' League in New Orleans—The city charter of 1896—The Constitution of 1898—The war with Spain—Monument erected to John McDonogh by school children—Tax for sewerage and drainage in New Orleans.



THE year 1890 was marked by a campaign conducted by the Anti-Lottery League to prevent the renewal of the charter of the Louisiana State Lottery Company, which was to expire on January 1, 1894. On April 17 John A. Morris, in the name of the company, offered the State five hundred thousand dollars a year for a renewal of the lottery license for twenty-five years, and on May 12 he increased the offer to one million dollars. Governor Francis T. Nicholls, in his message to the Legislature in May, 1890, opposed with great energy the recognition of lotteries by the State. He said that no proposition for a lottery should be entertained for a single moment. There was a glaring inconsistency between an article of the Constitution which declared gambling to be a vice and commands the General As-

sembly to enact laws for its suppression, and a second article, recognizing and perpetuating a lottery company, and also authorizing and granting other lottery privileges and charters. "I think," said the governor, "it was an outrage on other States and a disgrace to ours to make Louisiana the acknowledged headquarters of gambling, and to legalize an institution avowedly based upon certain losses and certain impoverishments to others, and a still greater outrage and a still greater disgrace for the commonwealth to be a partner in such a transaction. Nothing better could have been expected of the Legislature of 1868." He called attention to the influence the Lottery Company would exert on the politics of the State, if its charter were renewed, and to the corruption that would ensue, and he closed his message with the following words:

As the governor of this State and the head of the present administration, and representing the citizens of the commonwealth who believe that the only legitimate end of the government is the enjoyment of life, liberty, and prosperity—all three—I will never consent, so far as I am concerned, that the destinies of this great State shall be placed under the control and dominion of any corporation whatsoever, and especially that it shall pass under the control of a gambling institution, and I shall exercise all the influence of my official position at all times to avert and avoid what I would consider such a disastrous as well as such a disgraceful event, and, in doing so, I expect and invoke the aid and assistance of all good and true sons of Louisiana, both in and out of the General Assembly; and should I fail in my efforts to preserve the good name, the welfare, and the prosperity of the State, no part of the responsibility nor the shame shall rest on me.

On June 25, 1890, the House passed a bill in the form of a constitutional amendment, authorizing John A. Morris to conduct a lottery for twenty-five years by paying to the State one million dollars annually, as follows: three hundred and fifty thousand dollars for levees; three hundred and fifty thousand dollars for public schools; one hundred and fifty thousand dollars for charitable purposes; fifty thousand dollars for pensions to Confederate soldiers; one hundred thousand dollars for drainage of New Orleans. The Senate amended the bill by increasing the price of the franchise to one million two hundred and fifty thousand dollars, the increase to go to the General Fund of the State. The House passed the amended bill on July 2, and it was sent to the governor, who vetoed it. He concluded his veto message as follows:

So far as a claim for the necessity of the present measure is sought to be predicated upon the assumed condition of the poverty of Louisiana, I, as governor, pronounce it totally without justification or warrant. Some other motive for this measure must be found than that her people are unable honorably to carry out for themselves the duties of statehood. Knowing this contemplated measure as I do, as one dishonoring and degrading Louisiana, it has met, as it will continue to meet, my most determined opposition. At no time, and under no circumstances, will I permit one of my hands to aid in degrading what the other was lost in seeking to uphold—the honor of my native State. Were I to affix my signature to the bill, I would indeed be ashamed to let my left hand know what my right hand has done. I place the honor of the State above money, and in expressing that sentiment I sincerely voice that of thousands of brave and true men, of good and devoted women.



The House passed the bill over the veto of the governor, but in the Senate it failed to receive the necessary two-thirds majority. A resolution was adopted denying the constitutional right of the governor to veto a bill proposing an amendment to the Constitution. The House reconsidered its former vote, and the bill was ordered sent to the secretary of state for promulgation. The latter officer, Leonard F. Mason, refused to publish the amendment, as being illegal; but the Supreme Court of the State, on April 27, 1891, decided that the amendment need not be submitted to the governor, and that it must be published according to law and submitted to the people. The decision was given by a vote of three to two: Chief Justice Edward Bermudez, and Justices Lynn B. Watkins and Samuel D. McEnery for the decision, and Justices Charles E. Fennér and Joseph A. Breaux dissenting.

An Anti-Lottery Democratic Convention, convoked by the Anti-Lottery League of Louisiana, of which William G. Vincent was president and George W. Young secretary and treasurer, was held at Baton Rouge on August 7 and 8, 1890. There were nine hundred and fifty-nine delegates, representing fifty-three of the fifty-nine parishes of the State. The convention was very enthusiastic, and many energetic addresses were made. The principal speakers were the president of the convention, Thomas F. Bell, of Caddo; United States Senator-elect Edward D. White; Murphy J. Foster, of St. Mary; and Charles Parlange, of Pointe Coupée, who spoke in French. An address to the people of the United

States was presented by the chairman of the committee, Edgar H. Farrar, of Orleans, and was adopted unanimously. It recommended the immediate adoption of an amendment to the Federal Constitution prohibiting any State from chartering or licensing any lottery or gift enterprise, abolishing those already established, and giving Congress power to enforce the prohibition by appropriate legislation. It asked for the speedy adoption of the legislation specially recommended by the President and Postmaster-General to exclude lottery business and advertisements from the mails and express companies.

Frank P. Stubbs, of Ouachita, presented the report of the committee on resolutions. Among the resolutions was one thanking Governor Nicholls for his opposition to the proposition to re-charter lotteries, and one declaring that the people of Louisiana are able to support the State government and educate their children, and expressing the assurance that aid to perfect the levee system would be given by the general government.

The Louisiana Lottery Company was said to have an annual revenue of twenty-five million dollars, and the campaign in opposition to its re-charter was very violent and bitter. Many honorable men supported the lottery because they sincerely believed that the State was in absolute need of the money offered as a franchise by John A. Morris. The anti-lottery orators were unjust in accusing all the partisans of the lottery of corruption, but there is no doubt that they were right when they maintained that it was the duty of the people to support their government

and educate their children. Among the most eloquent orators against the lottery was the Rev. Benjamin M. Palmer, D.D. The archbishop of New Orleans, Monseigneur Janssens, opposed it likewise, and so did ministers of all religious sects. The excitement was becoming intense; but the United States Government refused the use of the mails to the Lottery Company, and John A. Morris withdrew his proposition.

On October 15, 1890, the chief of police of New Orleans, David C. Hennessy, was killed at night in the street by men who were supposed to be members of the Italian Mafia. Several Italians were charged with the crime and nine were tried by a jury. On March 13, 1891, six were declared not guilty, and a mistrial was entered as to three. On March 14, 1891, the following card appeared in the morning papers:

MASS MEETING! All good citizens are invited to attend a mass meeting on Saturday, March 14, at 10 o'clock A.M., at Clay statue, to take steps to remedy the failure of justice in the Hennessy case. Come prepared for action.

The card was signed by many well-known citizens. William S. Parkerson, who had been the leader of the Young Men's Democratic Association, was the first to address the crowd. The following are extracts from his speech:

PEOPLE OF NEW ORLEANS: Once before I stood before you for public duty. I now appear before you again, actuated by no desire for favor or prominence. Affairs have reached such a crisis that men living in an organized and civilized community, finding

their laws fruitless and ineffective, are forced to protect themselves. When courts fail, the people must act! What protection, or assurance of protection, is there left us, when the very head of our police department, our chief of police, is assassinated in our very midst by the Mafia Society, and his assassins are again turned loose on the community? The time has come for the people of New Orleans to say whether they are going to stand these outrages by organized bands of assassins, for the people to say whether they shall permit them to continue. I ask you to consider this fairly. Are you going to let it continue? Will every man here follow me, and see the murder of D. C. Hennessy vindicated? Are there men enough here to set aside the verdict of that infamous jury, every one of whom is a perjurer and a scoundrel? Men and citizens of New Orleans, follow me, I will be your leader!

Walter D. Denègre followed Mr. Parkerson, and the last speaker was John C. Wickliffe, who was unable to complete his remarks, the crowd shouting: "To the parish prison! Hang the Dago murderers!" Mr. Wickliffe announced that Mr. Parkerson was the leader, James D. Houston the first lieutenant, and himself the second lieutenant.

The crowd then marched to the parish prison. There were many men armed with shot-guns, and a few with Winchester rifles and revolvers. The door of the prison was battered down. When the crowd struggled to get into the prison Mr. Wickliffe spoke to them and said that cool action was wanted and the people should do nothing for which they would afterward mourn. There were nineteen prisoners who had been arrested for the murder of the chief of police. "The young Marchesi," said Mr. Wickliffe, "is too young to hang, and we will not touch



him, but we will hang the six men that were acquitted. The others have had no trial, and those who have had a mistrial may yet be convicted. The men who have not been given a trial we will let alone, but we must kill those who were acquitted. The two men whom the State said there was no evidence against we must not harm."

Nine of the Italians were shot down in the jail, and two were taken out and hanged by the neck. After the lynching was over Mr. Parkerson came out of the prison, climbed up into a window and addressed the crowd. He said he would not let them hurt the boy, and added: "I have performed the most painful duty of my life to-day. Now go home, and God bless you and the community." The crowd yelled: "God bless you, Mr. Parkerson."<sup>1</sup>

The lynching of these Italians received world-wide notice and was severely condemned in Europe. It led to complications between the Italian government and the Government of the United States, and the latter finally paid an indemnity to the families of the men that had been killed. In New Orleans and in Louisiana the lynching was generally considered a necessary execution, and a supreme vindication of law and justice. The justification of the act was said to be self-preservation. It struck terror into the members of the Mafia, and no acts of violence were committed by them after the terrible events of March 14, 1891.

Murphy J. Foster, who had been one of the strongest opponents of the Louisiana State Lottery, was elected governor, on April 19, 1892, and Charles Parlange lieu-

tenant-governor. Ex-Governor Nicholls was appointed chief justice of the Supreme Court. During the administration of Governor Foster Louisiana prospered greatly. The State had reached again the condition it had enjoyed for a time before the Civil War, and was fortunate in having, so to say, little history.

In concluding his message to the Legislature, on May 9, 1892, Governor Nicholls, referring to the lottery struggle, said:

From that contest Louisiana emerges victorious, her virtue vindicated, her morality strengthened, her future, I trust, assured. Again she stands among her sister States as fair as any, as pure as any, as proud as any. The shadow has passed away. Once more she is moving to the front, and it will be for you to see that her course be steadfast and true. It will be for you to see that what has been faithfully and gloriously won shall be firmly and successfully maintained.

On October 21, 1892, a large meeting was held in Lafayette Square to commemorate the four-hundredth anniversary of the discovery of America by Columbus, and addresses were delivered, in English by United States Senator Edward D. White; in German by Professor J. Hanno Deiler; in Spanish by C. J. Fernandez, vice-consul of Portugal; in Italian by John Rocchi, president of the Federation of Italian Societies; and in French by Professor Alcée Fortier. There were exercises in all the schools and in the churches, and a grand civil and military parade. Mayor Fitzpatrick, as the presiding officer at the meeting in the square, presented James David Cole-

man, who said that on October 12 the Catholics had assembled at the call of the Pope to commemorate the anniversary of the discovery of America, and to-day all the people were gathered at the call of the national executive to celebrate a similar anniversary. The success of the demonstration, Mr. Coleman said, was due chiefly to the patriotism of Archbishop Janssens. Theodore D. Dimistry read an original poem dedicated to the Catholic celebration.

On February 20, 1893, General Gustave Toutant Beauregard died in New Orleans. The funeral was held at the City Hall, where the body lay in state, and distinguished honors were paid to the memory of the greatest soldier born in Louisiana. General Beauregard was interred in the tomb of the Army of Tennessee, accompanied by the former comrades whom he had so often led gallantly in battle, and by a great many of the inhabitants of the city of New Orleans and of the State of Louisiana.

On April 25, 1893, the centennial anniversary of the erection of the independent see of New Orleans was commemorated. The first bishop was the Right Reverend Luis Peñalver y Cardenas. The second bishop, the Right Reverend Francis Porro, was consecrated in Rome in 1802, but died before his departure for New Orleans. After a long vacancy in the episcopal chair, the Right Reverend Guillaume Louis Dubourg was appointed bishop in 1815. He was succeeded by Bishop Leo Raymond de Neckere, and by Bishop Antoine Blanc, who became archbishop in 1850. The successors of Arch-

bishop Blanc, until 1893, were Archbishops Jean Marie Odin, Napoleon Joseph Perché, François Xavier Leray, and Francis Janssens.

On October 1, 1893, a terrible hurricane devastated the coast on the Mississippi Sound and that part of the country about the mouth of the river, and as far west as Last Island and Bayou Grand Caillou. At Chénrière about eight hundred lives were lost, and the whole loss of life was estimated at twenty-five hundred.<sup>2</sup> In his message to the Legislature, on May 14, 1894, Governor Foster said that in 1892 thirty thousand dollars were appropriated by the General Assembly for the relief of the sufferers from inundations. In 1893 the flood was scarcely less appalling and destructive, and the governor borrowed from banks about twenty-one thousand dollars to relieve the needs of the sufferers.

The Wilson tariff bill caused much dissatisfaction among the sugar-planters of Louisiana, who expected bounties on their crops amounting to sixteen million dollars. They held a convention in May, 1894, and set forth arguments in favor of the continuance of protection to the sugar interest. On September 17 they held another convention and adopted resolutions earnestly recommending and urging the people of Louisiana to organize so as to stand by the national Republican party in the organization of the House of Representatives and the protection of American industries. They declared that the standing and character of the leaders of this movement were a sufficient guarantee that they would ever advocate good government to the whole people of the State.



On January 6, 1895, twenty cars, loaded with supplies, were sent to the destitute people of Nebraska.

On February 11 the distinguished historian Charles Gayarré died at the age of ninety years.

On March 11 and 12 a riot broke out on the levee between white and colored laborers, and Governor Foster called out the militia to restore order.

The City Council of New Orleans, during the administration of Mayor John Fitzpatrick, from 1892 to 1896, was accused of corruption, and several of its members were convicted of bribery and sentenced to the penitentiary. The Citizens' League was organized, with the following officers: president, Charles Janvier; first vice-president, Pearl Wight; second vice-president, Isidore Hershheim; third vice-president, Felix Couturié; secretary, Walker B. Spencer; treasurer, George W. Young. At the election, on April 21, 1896, its ticket was elected by a large majority. Walter C. Flower was elected mayor, and his administration was very successful. Governor Foster was reëlected in 1896, and Robert H. Snyder was elected lieutenant-governor. The campaign was very exciting. Two tickets were in the field—the Democratic and the combination ticket of Republicans, National Republicans or "Lily Whites," and Populists. John N. Pharr was the candidate opposed to Governor Foster.

In 1896 the city of New Orleans received a new charter. It reduced the number of members of the Council from thirty to seventeen, and gave them a small compensation for their services. It created a civil-service commission,

and established merit as the sole qualification for occupying public places. The Board of Civil Service Commissioners began its work in January, 1897. It was composed of Judge William Wirt Howe, George W. Young, and Alcée Fortier. "The new charter," says Mr. Norman Walker, "was a model one. The only fault that could be found with it was, that it was somewhat in advance of public sentiment in New Orleans, in too great contrast with the conditions that had prevailed there; in fine, that the reforms it proposed were too radical and sudden and did not take local conditions sufficiently into account."<sup>3</sup> The principles of civil-service reform were particularly obnoxious to many persons who believed that "to the victors belong the spoils" after a political campaign, and in 1900 the civil-service clause of the charter was amended to such an extent that hardly anything was left of its efficiency.

On January 18, 1897, the Fisk Free and Public Library was opened in New Orleans. It united the Fisk Free Library and the Lyceum or Public-school Library. It received later a gift of fifty thousand dollars from the heirs of Simon HERNSHEIM, and was called the New Orleans Public Library. In 1887 the Howard Memorial Library had been established.

Liberal supplies were given, by the State and by corporations and private individuals, to the people of the drought-stricken district of North Louisiana. There was a very great rise of the river in 1897, but the levees stood the test admirably, and very few crevasses occurred.

There was an epidemic, called by some yellow fever,

in New Orleans in 1897; but the fever was so mild and the mortalities so few that the disease was known by the name of "yellowoid."

On June 10, 1897, Archbishop Francis Janssens died at sea, on board the *Creole*, on his way to New York, whither he was going for the benefit of his health. His body was taken to New Orleans and was buried in the St. Louis Cathedral. High honors were paid to the memory of the saintly archbishop, who was loved by all the people of his diocese on account of his gentleness and boundless charity. Monseigneur Janssens was succeeded as archbishop of New Orleans by Archbishop Placide Louis Chappelle, of Santa Fé, New Mexico, who was appointed apostolic delegate to the Philippines, Cuba, and Porto Rico. Monseigneur Chappelle accomplished his mission to the Philippines, and remained delegate to Cuba and Porto Rico. Owing to the frequent absences of the archbishop from New Orleans, it was necessary to appoint an auxiliary bishop, and Father Gustave A. Rouxel was raised to that dignity.

On January 11, 1898, an election was held on the question of holding a constitutional convention and to choose delegates in case the question was decided in the affirmative. The convention met in New Orleans on February 8, and adopted a constitution on May 12. There were one hundred and thirty-four members, of whom one was a Populist, one an Independent Democrat, and all the others regular Democrats. E. B. Kruttschnitt was president of the convention, R. H. Snyder first vice-president, S. McC. Lawrason second vice-president, and R. S. Landry secretary.

The preamble of the Constitution is as follows: "We, the people of the State of Louisiana, grateful to Almighty God for the civil, political and religious liberties we enjoy, and desiring to secure the continuance of these blessings, do ordain and establish this Constitution." There is a Bill of Rights. The General Assembly is to meet biennially, and the sessions to be limited to sixty days. There is considerable limitation of legislative powers. The governor is not eligible as his own successor; his salary is five thousand dollars a year; that of the lieutenant-governor, fifteen hundred dollars. The district judges are to be elected for terms of four years. The article in the Constitution of 1879 about promulgating the laws, etc., in French is retained. Lotteries, and the sale of lottery tickets, are prohibited. The articles referring to suffrage were the most important changes made by the Constitution of 1898. Educational or property qualifications are required of the voter, but section 5 is as follows: "No male person who was on January 1, 1867, or at any date prior thereto, entitled to vote under the Constitution or statutes of any State of the United States, wherein he then resided, and no son or grandson of any such person not less than twenty-one years of age at the date of the adoption of this Constitution, and no male person of foreign birth who was naturalized prior to the first day of January, 1898, shall be denied the right to register and vote in this State by reason of his failure to possess the educational or property qualifications prescribed by this Constitution; provided, he shall have resided in this State for five years next preceding the date



at which he shall apply for registration, and shall have registered in accordance with the terms of this article prior to September 1, 1898, and no person shall be entitled to register under this section after said date." The purpose of this section, known as the "Grandfather clause," was to allow many honorable and intelligent but illiterate white men to retain the right of suffrage, and the purpose of the educational or property qualifications was to disfranchise the ignorant negroes who had been a menace to the civilization of the State since the adoption of the Fifteenth Amendment to the Constitution of the United States.

Governor Foster, in his message of May 23, 1898, said:

The white supremacy for which we have so long struggled at the cost of so much precious blood and treasure, is now crystallized into the Constitution as a fundamental part and parcel of that organic instrument, and that, too, by no subterfuge or other evasions. With this great principle thus firmly imbedded in the Constitution, and honestly enforced, there need be no longer any fear as to the honesty and purity of our future elections.

Speaking of section 5 of the suffrage article, the governor said:

The objection that the section confers a privilege by inheritance is not well founded. The son or grandson of the voter of 1867, who is now of age and enjoys the right, does not inherit his right to vote from his father or grandfather, but he simply retains a right which he already enjoys by manhood and possession. The words that are said to denote inheritance are but words of description, used to designate those exempted from the qualifications

required in two preceding sections. This section does not grant to the naturalized citizen the right to vote because he is of foreign birth, but it refuses to deprive him of the right which he already possessed because he is a naturalized American citizen. The privilege of registration under this section expires on the first day of September of the present year, and a separate registration of voters is required.

With reference to foreigners, Governor Foster said:

Under the former Constitution, any unnaturalized foreigner, male, and twenty-one years of age, after a year's residence in the State, could vote on a mere declaration that he intended to become a citizen of the United States. This gave rise to much discontent, and admitted a large number of foreigners who were not properly qualified to exercise the right of suffrage, and who in many instances could not speak the English or the French language, and were ignorant of our laws and institutions, and hardly ever became naturalized citizens. Under the new Constitution, no man of foreign birth is admitted to suffrage until he has become a naturalized citizen of the United States.

The Constitution of 1898 provides also that the State treasurer shall be ineligible as his own immediate successor; it empowers parishes, municipal corporations, wards, and school districts to levy any rate of taxation, in excess of the constitutional limitations, for school purposes, when authorized by a vote of the property taxpayers. In addition to the revenues provided thus for public education, the apportionment of the State tax for this cause is increased to one and one quarter mills as a minimum. The police juries are authorized to levy a tax for school purposes not to exceed the entire State tax of six mills. Pro-

vision is made to grant pensions to Confederate soldiers and sailors and to their widows.

The volunteers from Louisiana in the war with Spain in 1898 consisted of the First and Second Regiments of infantry; Batteries A (Louisiana Field Artillery), B (Washington Artillery), and C (Donaldsonville Cannoneers), and details from the Naval Reserve for the Signal and Auxiliary Service, as well as a crew for the U. S. S. *Passaic*. There were also many men from Louisiana in the First Immune Regiment, of which Duncan N. Hood, a son of General John B. Hood, was colonel.

The officers of the First Regiment were as follows: William Lewis Stevens, colonel; Ruffin G. Pleasants, lieutenant-colonel; C. Julian Bartlet, major; Seaman A. Knapp, major; Frank E. Artaud, surgeon-major. The Second Regiment was organized in New Orleans. Its officers were Elmer E. Wood, colonel; William C. Dufour, lieutenant-colonel; William L. Hughes, major; George M. Hodgson, major; Frank J. Chalaron, major and surgeon; John T. Archinard, major and surgeon; Henry L. Favrot, captain and adjutant; Mozart W. Rainold, captain and assistant surgeon. Both regiments went into camp on May 1, at the Fair Grounds (Camp Foster), and were sent to Mobile, and then to Miami, where they suffered greatly from the unsanitary condition of the locality. The First Regiment was mustered out at Jacksonville, Florida, on October 3, 1898. The Second Regiment went also to Jacksonville, and was finally ordered to Cuba in December, 1898, and entered Havana on January 1, 1899. It was mustered out at Savannah, Georgia, on April 18, 1899.

None of the troops from Louisiana were called to take part in any battle during the war, but they did their duty wherever ordered. Several men died of disease in camp. Among them were the following officers: First Regiment—Captain T. Wood Lee, Second Lieutenant Gordon L. Sneed, First Lieutenant Edwin A. Scott, Second Lieutenant William M. Holland; Second Regiment—Captain Elmore G. Dufour, First Lieutenant John D. Nelson, Second Lieutenant Samuel B. McClure. Batteries A, B, and C, Louisiana Volunteer Artillery, were mustered in on July 6, 1898, and mustered out on November 12, 1898. They were never called out of Louisiana. John P. Sullivan was captain of Battery A; Frederick W. Kornbeck, of Battery B; and Richard W. McCulloch, of Battery C. Of the Naval Battalion, J. Wallace Bostick was the commander of the U. S. S. *Passaic*, Coast Signal Service and Auxiliary Navy, eighth district; Lewis W. Bartlett was lieutenant-commander.<sup>4</sup>

In the regular army the only officer from Louisiana that was killed was Lieutenant J. Numa Augustin, Jr., of the Twenty-fourth infantry. He was wounded in the attack on San Juan Hill, Cuba, July 1, 1898, and died the following day. Lieutenant Augustin was a graduate of West Point, twenty-four years of age. His death caused great sorrow in New Orleans, and he was buried in that city on November 20, 1898, with distinguished honors. His body lay in state at the City Hall and was conducted to the grave by an immense concourse.

A monument to John McDonogh in Lafayette Square,



New Orleans, was dedicated on December 29, 1898. It was erected by contributions solely from the public-school children of the city. John McDonogh is the greatest benefactor to public education in the history of Louisiana. He was born in Baltimore, Maryland, December 29, 1779, and came to reside in New Orleans in 1800. He was very successful in business, and invested largely in real estate. He became very wealthy, and in 1817 he removed from New Orleans to one of his plantations, which later became McDonoghville. There are romantic stories about the reason that led McDonogh to remove his residence from New Orleans, but they rest on a very uncertain foundation. After his death, a lady's slipper and a piece of faded ribbon were found among his papers, the sole witnesses of the love he is said to have felt at different times for two beautiful young women of New Orleans. There is also very slight foundation, says his biographer, William Allan,<sup>5</sup> for the tradition that represents him as suddenly breaking up a fine establishment in New Orleans and retiring to a small house on the opposite side of the river, where he lived in frugal style. In June, 1817, he removed to his plantation, and his style of living was simpler than it had been when he was living in the city. "The allusion," says Mr. Allan, "which Mr. McDonogh himself makes to his change of residence in a letter to his old employer and friend, William Taylor, dated July 24, 1817, indicates that there was nothing dramatic about it." His tastes were simple, but his house was comfortably furnished in mahogany, and his table service was of solid silver. McDonogh always

took great interest in the education of the young. He provided for the education of two of his brothers, of his youngest sister, and of the children of another sister. He assumed charge of several orphans and educated them, and the object of his life was to provide means for the education of the young. He was a kind master to his slaves, and allowed them to purchase their freedom by extra diligence and labor. His scheme included their transportation to Liberia, and he sent the first ship-load of them, about eighty, in June, 1842. John McDonogh died October 26, 1850. His will is dated December 29, 1838, and its provisions were known to no one during his life, except to the distinguished lawyer Christian Roselius, whom he consulted about the will in 1844. Says Mr. Allan:

Its principal provisions are as follows: (1) A moderate provision was made for the support of his sister Jane and her family. (2) His slaves (except some recently acquired) were set free, and provision was made for sending all to Liberia, except a few who were to remain in New Orleans. This provision Mr. McDonogh executed in part before his death, by sending the ship-load of freedmen to Liberia in 1842. The slaves recently acquired were to be set free and sent to Liberia fifteen years after his death. (3) The entire residue of his property (which was to be permanently invested in real estate and managed as a whole) was to be devoted to the establishment, by the cities of New Orleans and Baltimore, of free schools for the education of the poor. The whole net income of his estate was ultimately to be equally divided between these two cities for this purpose. For a time, however, one half only of this net income was to go directly to the cities, while the other half was to be applied to the payment of the following

annuities: (*a*) One eighth of the net income was to be given annually to the American Colonization Society for forty years. This sum was not to exceed \$25,000 for any one year. (*b*) One eighth of the net income was assigned to the city of New Orleans, to found an asylum for the poor, where they were to be sheltered, clothed, fed, and taken care of. This annuity was to continue until the sum of \$600,000 should have been paid to this object, and then it was to cease. (*c*) One eighth of the net income was to be given annually to the Society for the Relief of Destitute Orphan Boys of the City of New Orleans, until the sum so given should amount to \$400,000, when it was to cease. (*d*) One eighth of the net income was set apart for the purpose of establishing a farm school near the city of Baltimore, then of the towns and villages of Maryland, and then of the great maritime cities of the United States. As the annuities *a*, *b*, *c* were paid off, the portions of the net income appropriated to them were to be applied to the payment of *d*, which would thus ultimately absorb half of the whole income of the estate. This last annuity was to continue until the sum of \$3,000,000 should have been accumulated, when the farm school was to be established upon this large foundation, and the annuity to cease. It will thus be seen that, from the time of his death, one half of the net income of the property was to be divided between the cities of New Orleans and Baltimore, for promoting the education of the poor, and that the other half of the net income was to go to the same purpose, after the payment of the charitable bequests (themselves in large part educational) heretofore mentioned. He thought that perhaps fifty years or more would be required for the payment in full of these bequests.

McDonogh's intentions were frustrated for a long time by litigation and by the misfortunes of war, but finally the McDonogh Institute was established on an estate of eight hundred and thirty-five acres twelve miles northwest of Baltimore. The fund belonging to that

city consisted, in round numbers, of one million one hundred and thirty thousand dollars, and that of New Orleans of about nine hundred thousand dollars, out of which thirty beautiful public-school houses have been built and furnished. John McDonogh lived for many years in seclusion and appeared to be bent only on acquiring wealth. He was misjudged by his contemporaries, who were ignorant of his great plans of philanthropy. The following extract from the New Orleans "Picayune," of October 27, 1850, is interesting:

The announcement yesterday of the death of John McDonogh took our city by surprise, and formed the sole subject of conversation wherever it was known. His long residence among us, his immense wealth, his peculiar habits and appearance, had made his name familiar, not only here, but everywhere in the State, as a household word. He seemed to many a being apart from his fellow-men. While youth and strength and health and beauty were year after year struck down beside him, he moved on, tall, spare, erect, with sprightly step and look. Every school urchin recognized at first glance the thin, sharp, intelligent face, the small sparkling brown eyes, the long white hair, the neat, prim, white cravat and high shirt-collar, the well preserved old hat and blue umbrella, and the old-fashioned, tight-fitting blue cloth dress-coat and pantaloons and well-polished shoes.

John McDonogh was buried at McDonoghville, but his remains, according to the request made in his will, were removed to Baltimore in 1864, and a monument was erected to his memory in Greenmount Cemetery. He had made the request in his will "that it may be permitted annually to the children of the free schools (situate the



nearest to the place of my interment) to plant and water a few flowers around my grave." The little children in New Orleans, whose benefactor he has been, never fail, on McDonogh day, to place a few beautiful and fragrant flowers on the monument erected by them to the man that lived for no other purpose than to give the blessing of education to the young and the poor.

In June, 1899, an election was held in New Orleans for a special tax of two mills on assessed property for forty years for sewerage, drainage, and pure water. Women that were property-holders took part by proxy in the election, which was carried by a large majority in favor of the tax, chiefly through the influence of the women, who labored zealously for the movement.

On July 16, 1899, Colonel William Preston Johnston, president of the Tulane University of Louisiana, died at Lexington, Virginia. William O. Rogers, secretary of the university, was appointed acting president, and in 1900, Dr. Edwin Anderson Alderman, at that time president of the University of North Carolina, was elected president of the Tulane University of Louisiana. Under Dr. Alderman's administration the university has continued to prosper.

## CHAPTER IX

### THE DAWN OF THE TWENTIETH CENTURY

Governor William Wright Heard—Population of Louisiana and of the principal cities and towns in 1890 and 1900—Intense cold—Reception to President McKinley in 1901—Louisiana Day at the Pan-American Exposition—Memorial exercises in honor of President McKinley—The great naval dock—Visit of Ambassador Jules Cambon—Governor Heard's message in 1902—Celebration of the centennial of the treaty of cession of Louisiana to the United States—French literature of Louisiana—The *Athénée Louisianais*—"L'Abeille de la Nouvelle-Orléans"—English literature of Louisiana—Distinguished Louisianians—Institutions of learning and names of State officials in 1903—The progress of Louisiana in one hundred years.



ON April 17, 1900, the State election was held. Three tickets were in the field: the Democratic, the regular Republican, and the Republican-Fusion. The last named was headed by Donaldson Caffery, Jr., who was supported mainly by the "Lily White" Republicans. The Democratic ticket, headed by William Wright Heard and Albert Estopinal, was elected by a large majority, and all the members of the Legislature were Democrats. In New Orleans, Paul Capdevielle succeeded Mayor Walter C. Flower in 1900, and he has been a faithful and efficient official.

On May 15, 1900, Governor Foster sent his final message to the Legislature. He said the franchise problem

was solved by the sovereign people in convention assembled, and that subsequent events have dissipated whatever doubts may have existed as to the wisdom of the action of the convention. He added that the State has entered upon a new and brighter era, and that "looking forward to the future, the prospects are pleasing indeed, for all the people of our State."

The following figures from the United States Census of 1900 show the progress made in population by Louisiana from 1810. In that year it was 76,550; in 1820 it was 153,407; in 1830 it was 215,739; in 1840 it was 352,411; in 1850 it was 517,762; in 1860 it was 708,002; in 1870 it was 726,915; in 1880 it was 939,946; in 1890 it was 1,118,587; and in 1900 it was 1,381,625.

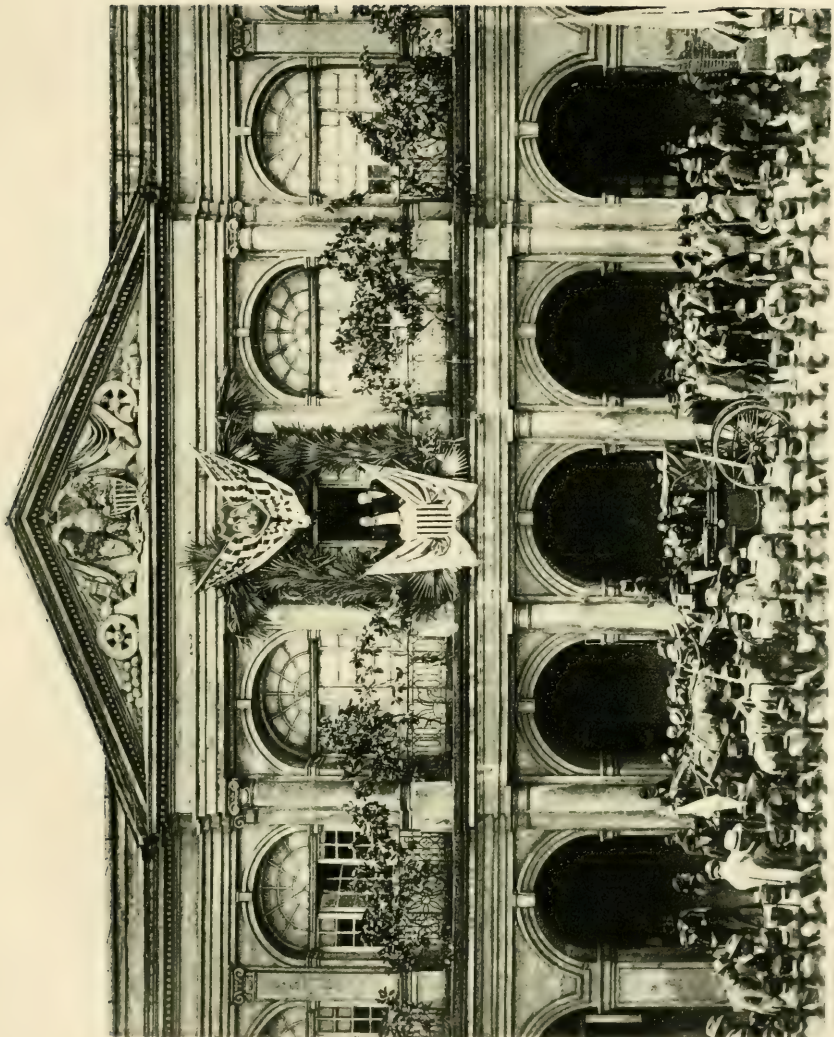
The population of the principal cities and towns was as follows: New Orleans 1890, 242,039; 1900, 287,104. Shreveport 1890, 11,979; 1900, 16,013. Baton Rouge 1890, 10,478; 1900, 11,269. New Iberia 1890, 3447; 1900, 6815. Lake Charles 1890, 3442; 1900, 6680. Alexandria 1890, 2861; 1900, 5648. Monroe 1890, 3256; 1900, 5428. Crowley 1890, 420; 1900, 4214. Donaldsonville 1890, 3121; 1900, 4105. Plaquemine 1890, 3222; 1900, 3590. Lafayette 1890, 2106; 1900, 3314. Thibodaux 1890, 2078; 1900, 3253. Houma 1890, 1280; 1900, 3212. Opelousas 1890, 1572; 1900, 2951. Franklin 1890, 2127; 1900, 2692. Natchitoches 1890, 1820; 1900, 2388. Morgan City 1890, 2291; 1900, 2332. Jackson 1890, 1276; 1900, 2012. Jeanerette 1890, 1309; 1900, 1905; St. Martinsville 1890, 1814; 1900, 1926.

<sup>1</sup> The three coldest spells of weather on record at New

Orleans, during the thirty years from 1871 to 1901, and the only ones during which the thermometer fell below the 20-degree mark, occurred as follows: On January 9, 1886, the minimum temperature was 15 degrees. On February 8, 1895, the minimum was 16 degrees; and on February 13, 1899, the minimum was 7 degrees, the lowest for the entire period. A mixture of sleet and snow fell from 8:50 P.M. February 11 to 7:45 A.M. February 12, amounting to three and two-tenths inches, and the ice in open gutters was two inches thick. The snow and ice did not disappear until February 15. A few days later, February 17 to 19, ice in considerable quantities was seen floating down the Mississippi River, and some of it reached the Gulf of Mexico on the afternoon of the 19th. The effect of this cold spell on vegetation of all kinds was disastrous, some of the largest and hardiest palms on St. Charles Avenue being killed by the cold. Only twice before had such cold weather been recorded in Louisiana: in 1784 and in 1823.

On May 1, 1901, President William McKinley, accompanied by Mrs. McKinley and Secretaries John Hay, Charles Emory Smith, and E. A. Hitchcock, visited New Orleans, and the same evening the citizens of the city gave a banquet in his honor. On May 2 he was received in the Cabildo building by the Louisiana Historical Society. The committee in charge of the reception was appointed by the president of the society as follows: Hon. James S. Zacharie, Miss Grace King, Miss Amélie Denègre, Judge William Wirt Howe, Professor John R. Ficklen, Messrs. Thomas McCaleb Hyman, Charles T.







Soniat du Fossat, Thomas P. Thompson, and Dr. Louis G. Le Beuf. It was decided to decorate the building and the hall, and to issue seven hundred invitations. The Continental Guards, in the uniforms of the period of the Revolution, one hundred and thirty-two men, under the command of Captain C. W. Drown, were invited to be stationed as a guard of honor on the grand staircase of the Cabildo.

At 12 M., the Governor of Louisiana, attended by his staff in full uniform, arrived and was received under the arcade by the reception committee. A few minutes later the bells of the Cathedral of St. Louis announced the arrival of the President and his cabinet, escorted by Mayor Paul Capdevielle, a committee of distinguished citizens, and the First Troop of Cavalry, L. S. N. G., under the command of Captain Adolphe Rocquet, First Lieutenant Robert Churchill, and Second Lieutenant W. S. Hero. The Jesuits' Cadet Corps, composed of young students of the College of the Immaculate Conception of New Orleans, under the command of Chaplain, the Rev. D. P. Lawton, S. J., formed a hollow square in front of the building and presented arms.

The Governor of Louisiana and staff, with the executive officers of the State, received the President at the foot of the main staircase and, preceded by Chairman Zacharie, was escorted to the head of the staircase, where the Chief Justice of the Supreme Court of Louisiana, Francis Tillou Nicholls, and Justices Joseph A. Breaux, Frank Adair Monroe, Newton Crain Blanchard, Olivier O. Provosty, in their robes of office, welcomed His Excellency. The cortège then entering the Supreme Court hall, Chairman Zacharie announced in a loud voice "The President," and the assembly arose and remained standing while the Chief Justice conducted the President to a seat of honor at his right on the Supreme Court bench. The Governor of Louisiana took a seat on the

left of the Chief Justice, and the Mayor of New Orleans the one on the right of the President, the justices occupying seats immediately in the rear on the bench. Chairman Zacharie then conducted the members of the cabinet and their wives to places on the left of the dais, where a seat, filled with roses presented by Misses Katherine Minor and Ann Ragan King, had been reserved for Mrs. William McKinley, who, at the last moment, was too ill to attend.

The courtroom was crowded almost to suffocation by guests, representing every branch of the civil, Federal, and State governments, the bench and bar, the professions and society. Many ladies and numbers of lovely young women, dressed in elegant gowns, were patiently suffering the inconvenience and the crowded condition of the room for the sake of seeing and hearing the President.

After the applause that had greeted the arrival of the President and of his escort had ceased, the distinguished guest and the justices sat down. Chief Justice Nicholls recognized President Alcée Fortier, of the Historical Society.

Professor Fortier, advancing to the bar, which was hidden under a bank of roses, said:

“MR. PRESIDENT: When it was announced that you would honor Louisiana and New Orleans with your presence, it was thought eminently proper that an event of such great importance as the visit of the chief magistrate of our country and of members of his cabinet be celebrated by the Louisiana Historical Society. It was, therefore, decided that a reception be held in this old historic building, which the justices of the Supreme Court have kindly placed at our disposal.

“The Governor of Louisiana and the Mayor of New Orleans have already welcomed you officially, but we believe, Mr. President, that you will appreciate the hearty welcome to our midst which I have the honor to extend to you, in the name of the Louisiana Historical Society, an association which was founded in 1836, and which is one of the oldest of its kind in the United



States. We do not consider you a guest, we do not consider you a stranger here, for an American is always at home in an American city, and the President of the United States is always at home in an American State, and surely no city is more American than New Orleans, and no State is more American than Louisiana. We do not forget, however, that such has not always been the fact, and this building in which we stand, this old Cabildo, as we call it, reminds us that our history extends further back than the establishment of the American Union, back into the seventeenth century, when Louis XIV was reigning over France in his grand palace at Versailles.

"We are proud of the history of our State, Mr. President; we would not tear a single page from it; we would not erase a single line from it, and I will ask you to allow me, in a few words, to call your attention to some events which have taken place here, and to evoke a few personages who have left their impress on the history of Louisiana, who have stood at the very spot where we are now, or who might have been seen from the site on which the Cabildo stands.

"In April, 1682, canoes, in which were white men, passed down the mighty river which flows by us only a few steps away, and in one of these were Robert Cavelier de La Salle and his faithful companion, Tonty with the Iron Hand. La Salle reached the mouth of the Mississippi; he gave to the vast country which he had rediscovered the sweet name of *Louisiane*, but he was unable to colonize it. It was Iberville who settled the new colony at Biloxi; and in March, 1699, two small boats ascended the Mississippi. They contained the two brothers, Iberville and Bienville, and Sauvole, who was to be the first governor of Louisiana, and of whom Governor Heard is now the honored successor. In 1718 Bienville laid the foundation of our New Orleans, and in the little French town there resided, for a time, Governor Périer, who received so well, in 1727, the good Ursuline nuns, then Vaudreuil, the Grand Marquis, and later the stately and learned Don Antonio de Ulloa. Louisiana was no longer French: the wretched King

Louis XV had ceded the greater part of it, in 1762, to Charles III of Spain.

"Now comes, Mr. President, the event in our colonial history of which we are the proudest: it is the Revolution of 1768, by which the Louisianians, guided by Lafrénière, Villeré, and other valiant men, overthrew the Spanish domination. Our ancestors resisted oppression and thought of establishing a republic in New Orleans several years before 1776. They failed, and not far from this place several brave men paid with their lives for their heroic dream of independence. O'Reilly established securely in blood the Spanish domination; he abolished the Superior Council of the French and substituted for it the form of government called the *Cabildo*, which has given its name to this ancient building. Begun with cruelty, the Spanish domination was afterward mild, and it was glorious with Bernardo de Galvez, who gave to Louisiana the honor of having taken part in the war for American independence, when he captured from the English, between 1779 and 1781, the towns of Baton Rouge, Mobile, and Pensacola.

"We have now reached the year 1794. It was then that Don Andres Almonester y Roxas, regidor, and alférez real, who had founded a hospital, rebuilt the cathedral. He built, at the same time, this edifice, and the *Cabildo* met here until 1803. Three years previously Bonaparte, victorious at Marengo, had taken back Louisiana from Spain. Laussat, the colonial prefect, arrived in New Orleans, and on November 30, 1803, he received, in the *Cabildo* building, from the Spanish commissioners, Salcedo and Casa Calvo, the keys of New Orleans, and was put in possession of the province of Louisiana. He abolished the *Cabildo*, and established a municipal government which has continued to our days, and of which the Hon. Paul Capdevielle is now the esteemed head. The banner of Spain went down in the Place d'Armes, and the banner of France rose in its stead. Not long, however, did the tricolor wave in front of the *Cabildo*. On April 30, 1803, Louisiana had been ceded to the United States, and on Tuesday, December 20, 1803, the transfer of the province took place in this very hall. Let us

endeavor to picture the scene and to consider the importance of this event.

"At 11 o'clock, the militia companies are drawn up in the square by order of the prefect; at noon the American commissioners enter the city at the head of their troops, which are placed in the square, on the side opposite the militia. The colonial prefect proceeds to the City Hall amidst a large concourse of people, and he delivers to the American commissioners, Wilkinson and Claiborne, the keys of New Orleans and gives them formal possession of the province. Claiborne rises, congratulates the people of Louisiana on 'the event which,' says he, 'places them beyond the reach of chance,' and he, Wilkinson, and Laussat go to the balcony of this building and see the banner of France descend from the staff in the middle of the square and the banner of the United States ascend to the top.

"The French colonists must have seen with some regret the lowering of the tricolor from the staff, but this act made them free and independent, and they were soon passionately attached to the United States, as are their descendants to-day, although the latter still love dearly the country of their ancestors. The Louisianians became masters of their own destiny in 1803, and still more so in 1812, when the Territory of Orleans became a State of the Union, and, God willing, they will be free men to the end of time.

"Thomas Jefferson, by acquiring Louisiana, rendered an immense service to the United States, and this building, where the transfer of the province took place, has a national importance. In 1803 the immense province of Louisiana contained less than fifty thousand inhabitants; to-day, in its several States, it contains many millions. In 1803, New Orleans contained eight thousand souls; to-day it has a population of nearly three hundred thousand, and it is destined to be one of the greatest cities on the American continent.

"From the balcony of the Cabildo the men of January, 1815, saw Andrew Jackson and his valiant army, returning from the

glorious field of Chalmette, pass through the Place d'Armes, now called Jackson Square, and then enter the cathedral to thank God for the overwhelming defeat of the invaders. In 1825, another great general visited New Orleans and dwelt in this very building—Lafayette, the friend of Washington, stood at this very spot.

“For a number of years the Supreme Court of Louisiana has held its sessions in this building, and many distinguished jurists have stood here and have sat on this bench. Around us we see the busts and portraits of men eminent for their learning and their high character, and this hall presents already the appearance of an historical museum. The old Cabildo of New Orleans should be held sacred by the people of Louisiana and of the United States, and here, Mr. President, we intend to celebrate worthily, in 1903, the centennial of the Louisiana Purchase. The visit with which you have honored us, your presence here to-day, has added new interest to the history of the Cabildo, and the future historian of our old and picturesque edifice will associate with the names of the men honored in the history of Louisiana that of William McKinley, President of the United States in 1901.”

Profound silence brooded over the assembly as President McKinley arose and replied:

“MR. CHIEF JUSTICE, ASSOCIATE JUSTICES, AND MY FELLOW-CITIZENS: I rise only for the purpose of making acknowledgment to the Louisiana Historical Association for its cordial and generous welcome to this historic place. It has been a great honor to me to be received here by the governor of this great commonwealth, by the chief justice, and by the mayor of the city, at this spot, memorable not only in American annals, but forever memorable in the annals of the world. I am glad to stand near by where that great transaction took place that transferred the Louisiana territory to the flag of the stars and stripes. A transaction which changed the map of the world and made this Union what it now is—the strongest and the freest nation on the face of God's earth.”

As soon as the applause had subsided, Chief Justice Nicholls



directed Clerk Thomas McCaleb Hyman of the Supreme Court to make a record of the event in the minutes of the court. A procession was then formed, headed by Chairman Zacharie and the reception committee, and made a progress in the hall, proceeding through a line of distinguished guests down the St. Peter Street side of the hall and up the cathedral side to the centre balcony. On the way the venerable Rev. Dr. Benjamin Morgan Palmer, the eloquent pastor of the First Presbyterian Church of New Orleans, and the Rt. Rev. Gustave A. Rouxel, auxiliary bishop of the R. C. Archdiocese of New Orleans and acting for Archbishop P. L. Chapelle, were presented to the President and were warmly greeted, especially Bishop Rouxel, to whom the President spoke of his friendship for Archbishop Chapelle, then absent in the Philippines on a mission from the Pope to settle the religious affairs of the islands.

At the appearance of the President in the historic balcony, from which the cession of the province of Louisiana had been proclaimed and where the people were formally absolved of their oaths of allegiance, the multitude raised a mighty cheer. The Governor of Louisiana stood on his right and the Mayor of New Orleans on his left, and when the cheering had ceased the Governor of Louisiana addressed the assembly:

"FELLOW-CITIZENS: On behalf of the people of Louisiana I take great pleasure in presenting to you the President of the United States, William McKinley."

The President was received with great cheering. He said: "I have great honor in standing on this historic ground to receive the greetings of my countrymen, and to recall the fact that here, nearly a hundred years ago, the great transaction took place that dedicated a larger area than the original thirteen States to liberty and union forever."

Great applause was given to these patriotic words, and the United States flag was then hoisted in Jackson Square on the spot where ninety-eight years before, in the presence of the United States commissioners, the national flag was first raised in Loui-

siana, and like then was saluted by the cathedral bells and a national salute fired on the levee, which on this occasion was done by the Washington Artillery, a veteran organization of three wars, under the command of Lieutenant-Colonel John B. Richardson.<sup>2</sup>

In 1901, Frank T. Howard presented the city of New Orleans with a large public-school building, and in 1903 another one of the same kind.

In the summer of 1901 the Lake Borgne Canal was opened to commerce. It connects the lake with the Mississippi by means of a lock chamber two hundred feet long, fifty feet wide, and twenty-five feet deep.

There was a very creditable Louisiana exhibit at the Pan-American Exposition at Buffalo in 1901, provided for by Governor Heard, and collected and arranged by Major J. G. Lee, State Commissioner of Agriculture and Immigration, and Dr. William C. Stubbs, Director of the State Agricultural Experiment Stations. On August 21, 1901, was celebrated Louisiana Day, when Governor Heard attended with members of his staff, and addresses were delivered by the governor, by Professor J. B. Aswell, and by Professor Alcée Fortier, who spoke in French. The Louisiana exhibit was transferred, at the close of the Buffalo Exposition, to the Charleston Exposition.

Two weeks after Louisiana Day, at the Pan-American Exposition, President McKinley was murdered in the very Temple of Music where the Governor of Louisiana and the delegates from that State had delivered their addresses. The death of the President was deeply regretted in New Orleans, which had received him so cor-

dially in May, 1901, and imposing memorial exercises were held in his honor on the day of the funeral at Canton, Ohio.

The great floating steel dock built by the United States for the naval station at New Orleans reached its destination on November 6, 1901. It cost eight hundred and fifty thousand dollars, and was obtained chiefly through the efforts of General Adolph Meyer, member of Congress from the First District and member of the Committee on Naval Affairs of the House of Representatives.

On January 26, 1902, M. Jules Cambon, French ambassador to the United States, arrived in New Orleans. He had been invited to visit the city by the Athénée Louisianais, and that literary society held a reception in his honor, during which he delivered a beautiful address. He delivered also an address before the French Circle of the Tulane University of Louisiana.

Governor Heard's message to the Legislature, of May 12, 1902, is a full and comprehensive paper, and the following words from it are very gratifying to those who take an interest in the welfare of Louisiana:

We must be thankful to Divine Providence, from whence all blessings flow, that our beloved commonwealth has been most bounteously favored. It has enjoyed a degree of prosperity for the like of which we must turn back beyond a lapse of many years. In the aggregate, our agricultural, manufacturing, and other industries have flourished, and they have brought compensations to their operators which have promoted their welfare, and increased considerably the value of their properties and the resources of the State and of the local government. The public health has been

uniformly good, and the efficiency displayed by our health authorities gives reason to look for the prolongation of this inestimable blessing. The excellent and steadily improving condition of the levees gives assurance that the immunity from inundation which has been enjoyed for a number of years will be maintained. The change from the system of leasing the penitentiary convicts to State control, has been effected with gratifying success from every point of view. The assessed valuation of property has increased from \$276,659,407 in 1900 to \$301,215,222 in 1901. There has been marked progress in public education, and all the institutions for higher education report improvement in their operations, with an unprecedented augmentation in the number of students. The latest United States census shows an increase in the population from 1,118,587 in 1890 to 1,381,625 in 1900. No serious disturbances of the public peace have occurred, and under the operation of the constitutional provisions and the laws regulating the exercise of suffrage, the elections have been absolutely fair and peaceful; in consequence, the State has been free from political turmoil and agitation. Attracted in large measure by these hopeful conditions, and the guarantees of good and stable government which they offer, capital and immigration are seeking investment and homes within our borders to an extent unequalled in many years. The public and charitable institutions have been adequately maintained, and their reports uniformly show progress and satisfactory conditions. The public credit has been scrupulously upheld, and every obligation has been promptly met. There has been unusual development in the commerce and industries in our towns and cities, and vast public improvements have kept pace with this development. The metropolis, New Orleans, has made very rapid strides in this direction, and it is fast growing into the superb and mighty maritime, commercial, and industrial centre which its commanding position foreshadows. Recognizing its importance and superior advantages, the Government of the United States has established there a naval dock of mammoth proportions, with a capacity to accommodate the largest vessels of our navy.



The governor said it was worthy of note that, for the first time since the war, the assessment of the country parishes was in excess of that of the city of New Orleans. He recommended that an appropriation of one hundred thousand dollars be made for exhibits at the Louisiana Purchase Exposition and for a State building, and he said that Louisiana should contribute to the success of the Exposition by a facsimile of the historic structure known as the Cabildo. He commended also the suggestion that had been made by patriotic citizens, that the centennial of the transfer of Louisiana be celebrated at the very place where it was effected.

The Legislature of 1902 appropriated the sum of money recommended by the governor for Louisiana's representation at the St. Louis World's Fair, and appropriated twenty-five hundred dollars for the celebration, under the auspices of the Louisiana Historical Society, of the centennial anniversary, on December 20, 1903, of the transfer of the province to the United States.

On May 28, 1902, the Rev. Benjamin M. Palmer, D.D., died in New Orleans. He was a man of high character and admirable eloquence.

On December 31, 1902, it was announced that Andrew Carnegie offered a gift of two hundred and fifty thousand dollars for library buildings in New Orleans. The gift was obtained through the efforts of Professor James H. Dillard, of the Tulane University of Louisiana, vice-president of the board of the Public Library.

Governor Heard and staff and Mayor Capdevielle attended the dedication exercises of the World's Fair at St. Louis on April 30, 1903. At New Orleans the Loui-

siana Historical Society celebrated, with exercises at the Cabildo, the centennial of the cession of Louisiana. An elaborate program was prepared by a committee consisting of Charles T. Soniat du Fossat, Miss Grace King, Professor J. R. Ficklen, Judge Joseph A. Breaux, and Charles G. Gill. The exercises were opened at the Cabildo by Chief Justice Nicholls, the treaty of cession was read in English by the Hon. James S. Zacharie and in French by Charles T. Soniat du Fossat; an address in English was delivered by Lieutenant-Governor Estopinal, and in French by the president of the Historical Society, Professor Alcée Fortier; an address in French written by Mayor Capdevielle was read, and a poem written by Rixford Lincoln. Telegrams were exchanged between the president of the St. Louis World's Fair and the Louisiana Historical Society. The Colonial Dames of Louisiana placed on the Cabildo a commemorative tablet, which was presented by Justice F. A. Monroe, in the name of the Colonial Dames, and accepted by William Mehle, president of the City Council.

In May, 1903, the American Medical Association held its annual meeting in New Orleans; and the Confederate reunion was held in the city in June.

New Orleans has become popular as a convention city, and is becoming a favorite winter resort. The affability of its inhabitants, the mildness of its climate, its French Opera House and other theaters, and its admirable balls and pageants at Mardi Gras time, render it attractive to strangers.

From the earliest settlement of Louisiana, the people

were noted for their refinement and artistic taste. This accounts for the number of poets in the two literatures of Louisiana, the French and the English. Julien Poydras wrote the first poem published in Louisiana, "La Prise du Morne du Bâton Rouge par Monseigneur de Galvez" (1779). The second work is a tragedy, "Poucha-Houmma" (1814), by Le Blanc de Ville-neufve. Poems of real merit were published in French before the Civil War by Father Adrien Rouquette and his brother Dominique, Dr. Alfred Mercier, Alexandre Latil, Charles Oscar Dugué, Dr. Charles Testut, Mme. Emilie Evershed, and L. Placide Canonge.

In 1830 Charles Gayarré published his "Essai Historique sur la Louisiane," in two volumes. Other historical works are Victor Debouchel's "Histoire de la Louisiane, depuis les premières découvertes jusqu'en 1840" (1841); Cyprien Dufour's "Esquisses Locales" (1847); Bernard de Marigny's "Réflexions sur la Politique des Etats-Unis" (1854), Alexandre Barde's "Histoire des Comités de Vigilance aux Attakapas" (1861), and Mme. Laure Andry's "Histoire de la Louisiane pour les enfants" (1885).

Before 1861 two very interesting dramas were published in Louisiana: "Les Martyrs de la Louisiane," by A. Lussan, and "France et Espagne," by L. Placide Canonge. Both authors took as subjects the Revolution of 1768 and the heroic and tragic death of Lafrénière, Villeré, and the revolutionists of that time.

The contemporary French literature of Louisiana is contained almost exclusively in the publications ("Comp-

tes Rendus") of the *Athénée Louisianais*, a society founded in January, 1876, by Dr. Alfred Mercier for the preservation of the French language in Louisiana. Dr. Mercier was the first perpetual secretary of the *Athénée Louisianais*, and was the most frequent contributor to its publications. He was a poet and a novelist, and published in book form several novels, of which one, "*L'Habitation St. Ybars*," is a story of life on a sugar plantation before the war. Dr. Mercier died in 1894, and was succeeded as secretary of the *Athénée* by Bussière Rouen. The presidents of the *Athénée* have been Dr. Armand Mercier, General G. T. Beauregard, and Professor Alcée Fortier.

The principal contributors to the "*Comptes Rendus de l'Athénée Louisianais*" have been, besides Dr. Alfred Mercier: of poetry—Dr. Charles Deléry, Onésime Debouchel, J. Gentil, George Dessommes, Maxime Cousin, Florent Fortier, Edgar Grima, and Jules Choppin; miscellaneous—Dr. Armand Mercier, Dr. Charles Turpin, Dr. J. G. Hava, Charles Bléton, Dr. Octave Huard, Dr. Gustave Devron, James S. Hosmer, G. B. d'Anglade, P. V. Bernard, Dr. J. J. Castellanos, Bussière Rouen, H. Dubos, Gaston Doussan, François Tujague, Dr. J. Dell'Orto, Paul E. Théard, Mrs. E. L. T. Aleix, Miss Ermanace Robert, Miss Marie Augustin, Mrs. L. Augustin Fortier, Miss Marie Dumestre, Mrs. Aimée Beugnot, J. L. Peytavin, G. Daussin, Judge Émile Rost, Judge Joseph A. Breaux, Gustave V. Soniat, Henry A. Bernard, Rev. A. Maltrait, Edward Dessommes, and Dr. Louis G. Le Beuf. The *Athénée Louisianais* had as its







guest in New Orleans besides Ambassador Cambon, the French poet Henri de Régnier and the distinguished littérateurs Gaston Deschamps, Hugues Le Roux, and Léopold Mabillean. They delivered lectures in French, under the auspices of the Athénée, before large audiences, in 1900, 1901, 1902, and 1903.

The oldest newspaper in New Orleans is "L'Abeille de la Nouvelle-Orléans," founded in 1827. Mrs. S. de la Houssaye published interesting novels in "L'Abeille," and the principal contributors to its columns have been Numa Dufour, E. Limet, Alfred Roman, André L. Roman, François Tujague, J. Gentil, H. Dubos, L. Placide Canonge, and Armand Capdevielle.

The English literature of Louisiana is very extensive. The principal historians are Judge François Xavier Martin and Judge Charles Gayarré, to whose histories of Louisiana reference has often been made in this book. Major Lacarrière Latour's "Memoir of the War in West Florida and Louisiana in 1814 and 1815" and Alexander Walker's "Life of Andrew Jackson and Battle of New Orleans" are valuable for a student of the history of the British invasion of Louisiana. The Civil War gave rise to the following works: Colonel William Preston Johnston's "Life of Albert Sidney Johnston," Colonel Alfred Roman's "Military Operations of General Beauregard," General Beauregard's "Summary of the Art of War" and "Commentary on the Campaign and Battle of Manassas," Colonel William Miller Owen's "In Camp and Battle," General Richard Taylor's "Destruction and Reconstruction," Napier Bartlett's "A Soldier's Story of the

War," and Mrs. Sarah A. Dorsey's "Recollections of Henry Watkins Allen." Miss Grace King has published a "Life of Bienville," "New Orleans, the Place and the People," "De Soto in the Land of Florida," and a "History of Louisiana" for schools, in collaboration with Professor John R. Ficklen. The latter writer has also published "An Outline History of Greece" and "Civil Government of Louisiana." Professor Henry E. Chambers is the author of two school histories of the United States, of a "Constitutional History of Hawaii," and of "West Florida, Colony, Province, and State"; Henry C. Castellanos, of "New Orleans as it was"; B. J. Sage, of "Republic of Republics"; Judge William Wirt Howe, of a "Municipal History of New Orleans," and Mrs. Caroline E. Merrick, of "Old Times in Dixie Land." Professor J. Hanno Deiler has published in German valuable monographs on the history of German immigration in Louisiana.

In English, the best-known poets of Louisiana are Mrs. Mary Ashley Townsend ("Xariffa"), Mrs. Eliza J. Nicholson ("Pearl Rivers"), Mrs. M. E. M. Davis, Mrs. Suzan Blanchard Elder, and Colonel William Preston Johnston.

The principal novelists are Charles Gayarré, Mrs. Sarah A. Dorsey, Miss Grace King, Mrs. M. E. M. Davis, Mrs. Ruth McEnery Stuart, Mrs. C. V. Jamison, Miss Mary Frances Seibert, Miss Martha W. Austin, Miss Josephine Nicholls, Mrs. R. T. Buckner, Charles Patton Dimitry, John Dimitry, Dr. W. H. Holcombe, Frank McGloin, and George W. Cable and Lafcadio Hearn,



who wrote the greater part of their works while living in Louisiana.

The dramatists are Judge T. Wharton Collens, Charles Gayarré, E. C. Wharton, and Espy W. H. Williams.

In literary history and criticism, the most important names are those of J. D. B. De Bow, Colonel William Preston Johnston, John Dimitry, Dr. Beverly E. Warner, Miss Grace King, Mrs. James Durno ("Felix Grey"), Mrs. Marion A. Baker ("Julia K. Wetherill"), Mrs. M. R. Field ("Catharine Cole"), Professor Robert Sharp, Professor J. R. Ficklen, Professor William B. Smith, Professor J. W. Pearce, A. A. Gunby, and Thomas McCaleb.

The great naturalist John James Audubon was born in Louisiana in 1780. His "Birds of America" and his "Quadrupeds of America" are monumental works. Albert Delpit, who was a successful novelist in Paris, was a native of Louisiana, and so is Henry Vignaud, the first secretary of the United States Embassy in Paris, who is author of "Critical and Bibliographical Notices of the Voyages which have Preceded and Prepared the Discovery of the Route to the Indies and to the New World" and of the "Letter and Map of Toscanelli." This last work, original and profound, created a great sensation among Columbian scholars.

Louisiana gave birth in 1736 to a great Latin scholar, Father Étienne Viel, of the order of the Oratorians, who was for a time curate at St. Martinsville. He translated beautifully into Latin verse the twenty-four books of Fénelon's "Télémaque."

Paul Morphy, the greatest chess-player in the world, was born in Louisiana, and so was Louis Moreau Gottschalk, the great pianist and musician, author of "La Bamboula," "La Savane," "Le Bananier," "Le Mancenillier," and other charming pieces. Henry H. Richardson, the architect, was a Louisianian, and Aubert-Dubayet, a general in the wars of the French Revolution, was also born in Louisiana.

Many other natives of Louisiana have distinguished themselves in foreign countries and in other States of the Union.

The most hopeful sign for the future of the State is the interest taken in educational matters. An active campaign is being made for local taxation in aid of public schools, and President Alderman of the Tulane University of Louisiana has obtained the help of the Southern Education Board to further the educational campaign. The principal institutions of learning in 1903 are the Tulane University of Louisiana, at New Orleans; the Louisiana State University and Agricultural and Mechanical College, at Baton Rouge, of which Colonel Thomas D. Boyd is president; the State Normal School at Natchitoches, President B. C. Caldwell; the Louisiana Industrial Institute, at Ruston, President J. B. Aswell; and the Southwestern Louisiana Industrial Institute, at Lafayette, President E. L. Stephens. There are also institutes for the deaf and dumb and for the blind, experimental stations, and the Southern University and Agricultural and Mechanical College, for colored persons, at New Orleans.

There are several religious or denominational colleges and many private schools in the State.

At this time, one hundred years after the cession to the United States, the names of the principal State officers are as follows: governor, William Wright Heard; lieutenant-governor, Albert Estopinal; Speaker of the House, Jared Y. Sanders; secretary of state, John T. Michel; treasurer, Le Doux E. Smith; auditor, W. W. Frazee; attorney-general, Walter Guion; superintendent of public education, Joseph V. Calhoun; major-general State National Guard, John Glynn, Jr.; adjutant-general, Allen Jumel; commissioner of agriculture, J. G. Lee; president of State Board of Health, Edmond Souchon.

The United States senators from 1885 to 1903 were Randall Lee Gibson, James B. Eustis, Edward D. White (appointed associate justice of the Supreme Court of the United States), Donaldson Caffery, Newton C. Blanchard, S. D. McEnery, and Murphy J. Foster.

The representatives in the Fifty-seventh Congress, in 1903, were: First District, Adolph Meyer; Second District, Robert C. Davey; Third District, Robert F. Broussard; Fourth District, Phanor Brazeale; Fifth District, Joseph E. Ransdell; Sixth District, Samuel M. Robertson.

The province ceded by France in 1803 comprises today, in whole or in part, twelve States: Louisiana, Arkansas, Missouri, Iowa, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Colorado, Wyoming, and Montana; and two Territories, Oklahoma and the Indian

Territory. The area of the former province is eight hundred and seventy-five thousand square miles, and the population of fifty thousand had grown in 1900 to nearly fifteen millions. The territory acquired by the treaty of April 30, 1803, has become, in one hundred years, of such vast importance in the development of the United States that the cession is to be commemorated in 1904 by a magnificent International Exposition at St. Louis. The beautiful city founded by Laclède and Chouteau has invited the world to be its guests. In the city founded by Bienville, in the old Cabildo, where Laussat transferred the sovereignty of the province to the American commissioners, Claiborne and Wilkinson, the centennial anniversary of an event so marvelous in its results is to be celebrated on December 20, 1903, with appropriate exercises, in the presence of distinguished guests and of the people of Louisiana. Thanks will be rendered to the Almighty for the blessings enjoyed by the millions living in the vast country watered by the great Mississippi and its tributaries, to which the heroic La Salle gave the immortal name of "Louisiane."



## NOTES



## NOTES

### CHAPTER I

- <sup>1</sup> The Annual Cyclopædia, 1861.
- <sup>2</sup> New Orleans True Delta.
- <sup>3</sup> W. M. Owen, in *Memoirs of Louisiana*.
- <sup>4</sup> New Orleans newspapers.
- <sup>5</sup> W. M. Owen, in *Memoirs of Louisiana*.
- <sup>6</sup> New Orleans newspapers.
- <sup>7</sup> Quoted by W. M. Owen, in *Memoirs of Louisiana*, Vol. II, p. 87.
- <sup>8</sup> Admiral David D. Porter, *The Opening of the Lower Mississippi*, in *Battles and Leaders of the Civil War*, Vol. II, p. 22.
- <sup>9</sup> Beverley Kennon, *Fighting Farragut below New Orleans*, in *Battles and Leaders of the Civil War*, Vol. II, p. 88.
- <sup>10</sup> *Incidents of the Capture of New Orleans*, by Albert Kautz, Captain U. S. N., and *Farragut's Demands for the Surrender of New Orleans*, by Marion A. Baker, the mayor's private secretary, in *Battles and Leaders of the Civil War*, Vol. II.
- <sup>11</sup> The Annual Cyclopædia, 1862; *Beauty and Booty*, by Marion Southwood; *General Butler in New Orleans*, by James Parton; *New Orleans newspapers*, 1862.

### CHAPTER II

- <sup>1</sup> *Recollections of Henry Watkins Allen*, by Sarah A. Dorsey.
- <sup>2</sup> George B. N. Wailes, in *Times-Democrat*, May 3, 1894.
- <sup>3</sup> Richard Taylor, *Destruction and Reconstruction*, p. 146.
- <sup>4</sup> *Taylor's Destruction and Reconstruction*, p. 145.
- <sup>5</sup> Manuscript diary of Alexis Ferry, of St. James parish.
- <sup>6</sup> *Recollections of Henry Watkins Allen*, by Sarah A. Dorsey, p. 262.
- <sup>7</sup> In his report, *War of the Rebellion*, Official Records of the Union and Confederate Armies, Series I, Vol. XXXIV, General Banks

claims the victory, but in reality night fell on "a drawn battle." See Taylor's *Destruction and Reconstruction*, pp. 174 and 175.

<sup>8</sup> Taylor's *Destruction and Reconstruction*. The *Annual Cyclopædia*, 1863 and 1864.

<sup>9</sup> The *Annual Cyclopædia*, 1864.

<sup>10</sup> *Senate Journal*, 1864.

### CHAPTER III

<sup>1</sup> The list of general officers from Louisiana in the Confederate service as given on page 68 is incomplete. The following is taken from the Report of the Secretary of State, Oscar Arroyo, 1886-1887, page 107. It includes the names of the civil officers.

#### RECORD OF CIVIL AND MILITARY OFFICERS OF THE CONFEDERATE STATES FROM THE STATE OF LOUISIANA, AND THEIR TIME OF SERVICE

##### LOUISIANA'S CONFEDERATE CONGRESSMEN

Provisional Confederate Congress:

Charles J. Villéré, Charles M. Conrad, Duncan F. Kenner, Alexander Declouet, John Perkins, Jr., and Henry Marshall.

First Confederate Congress; February 22, 1862, to February 22, 1864.

Senators: Edward Sparrow, Thomas J. Semmes.

Representatives: Charles J. Villéré, Charles M. Conrad.

Representatives: Duncan F. Kenner, Lucius J. Dupré, John Perkins, Jr., Henry Marshall.

Second Confederate Congress; February 22, 1864, to April, 1865.

Senators: Edward Sparrow, Thomas J. Semmes.

Representatives: Charles J. Villéré, Charles M. Conrad, Duncan F. Kenner, Lucius J. Dupré, John Perkins, Jr., B. L. Hodge.

##### LOUISIANA'S CONFEDERATE GENERALS—FULL GENERALS

1. Gustave T. Beauregard, appointed August 31, 1861, to date from July 21, 1861; confirmed August 31, 1861, and reconfirmed April 23, 1863.

2. Braxton Bragg, appointed and confirmed April 12, 1862.



## LIEUTENANT-GENERALS

1. Leonidas Polk, appointed and confirmed October 11, 1862.
2. Richard Taylor, appointed and confirmed May 16, 1864; commission to date from April 8, 1864.

## MAJOR-GENERALS

1. Leonidas Polk, appointed June 25, 1861; confirmed August 29, 1861.
2. Braxton Bragg, appointed September 12, 1861; confirmed December 13, 1861.
3. Richard Taylor, appointed July 28, 1862; confirmed September 26, 1862.
4. Martin Luther Smith, appointed November 4, 1862; confirmed April 30, 1863.
5. Franklin Gardner, appointed December 20, 1862; commission to date from December 13, 1862, but not confirmed until June 10, 1864.
6. Gov. Henry W. Allen was appointed major-general August 10, 1864, and Brigadier-General Harry T. Hays on April 9, 1865, but their appointments were never confirmed by the Confederate Senate.

## BRIGADIER-GENERALS

1. Gustave T. Beauregard, appointed and confirmed March 1, 1861.
2. Braxton Bragg, appointed and confirmed March 7, 1861.
3. H. H. Sibley, appointed June 17, 1861, confirmed August 27, 1861.
4. John B. Grayson, appointed and confirmed August 15, 1861.
5. Paul O. Hébert, appointed and confirmed August 17, 1861.
6. Albert G. Blanchard, appointed September 21, 1861; confirmed December 13, 1861.
7. Adley H. Gladden, appointed September 30, 1861; confirmed December 13, 1861.
8. Richard Taylor, appointed October 21, 1861; confirmed December 13, 1861.
9. Johnson K. Duncan, appointed January 7, 1862; confirmed January 14, 1862.
10. Martin L. Smith, appointed and confirmed April 11, 1862.

11. Frank Gardner, appointed April 11, 1862; confirmed April 19, 1862.

12. Alfred Mouton, appointed and confirmed April 18, 1862.

13. Daniel W. Adams, appointed May 23, 1862; confirmed September 30, 1862.

14. Louis Hébert, appointed May 26, 1862; confirmed May 30, 1862.

15. St. John R. Liddell, appointed July 17, 1862; confirmed September 30, 1862.

16. Harry T. Hays, appointed July 25, 1862; confirmed September 30, 1862.

17. Francis T. Nicholls, appointed October 14, 1862; confirmed April 22, 1863.

18. Henry W. Allen, appointed August 19, 1863; confirmed January 25, 1864.

19. Leroy A. Stafford, appointed October 8, 1863; confirmed January 25, 1864.

20. Edward Higgins, appointed November 2, 1863; confirmed February 17, 1864.

21. Randall Lee Gibson, appointed February 1, 1864; commission to date from January 11, 1864; confirmed February 1, 1864.

22. Allen Thomas, appointed and confirmed February 17, 1864.

23. Thomas M. Scott, appointed and confirmed May 24, 1864.

24. Zebulon York, appointed and confirmed June 2, 1864.

Joseph L. Brent was appointed brigadier-general on October 2, 1864, and Wm. R. Peck on February 28, 1865, but neither appointment was ever confirmed.

Colonel James Trudeau, of the Louisiana Legion (uniformed militia), was assigned to duty by General Polk as brigadier-general in January, 1862, and acted as such for nearly three months, but President Davis having refused to ratify the act, Colonel Trudeau failed to become a Confederate general.

Colonel Henry Gray, of the Twenty-ninth Louisiana, was nominated by General Kirby Smith for brigadier-general in May, 1864, and assigned, designated, and paid as such until the close of the war, but, for unknown reasons, President Davis throughout failed to approve the nomination, and thus Colonel Gray never became a complete Confederate general.

<sup>2</sup> Burgess, *Reconstruction and the Constitution*, p. 18.

<sup>3</sup> Hitherto unpublished. Kindly placed at our disposal by the ex-lieutenant-governor.

<sup>4</sup> Hitherto unpublished. Kindly placed at our disposal by the ex-lieutenant-governor.

<sup>5</sup> New Orleans Riots, Report No. 16, House of Representatives, Thirty-ninth Congress, Second Session. *Annual Cyclopædia*, 1866. Burgess, *Reconstruction and the Constitution*.

<sup>6</sup> Hitherto unpublished. Kindly placed at our disposal by the ex-lieutenant-governor.

#### CHAPTER IV

<sup>1</sup> Benjamin F. Jonas, *Proceedings of the Louisiana Bar Association*, 1900-1901.

<sup>2</sup> Randell Hunt, *An Appeal in Behalf of Louisiana to the Senate of the United States*.

<sup>3</sup> Randell Hunt, *An Appeal in Behalf of Louisiana to the Senate of the United States*, p. 15.

#### CHAPTER V

<sup>1</sup> *Le Carillon*, May 17, 1874.

<sup>2</sup> *New Orleans Picayune*, July 2, 1874.

<sup>3</sup> *New Orleans Bulletin*, September 10, 1874.

<sup>4</sup> *New Orleans Picayune*, September, 1874.

#### CHAPTER VI

<sup>1</sup> *Annual Cyclopædia*, 1876.

<sup>2</sup> *Annual Cyclopædia*, 1877.

#### CHAPTER VII

<sup>1</sup> *Annual Cyclopædia*, 1878.

<sup>2</sup> Volume I of this work, p. 71.

<sup>3</sup> E. L. Corthell, *A History of the Jetties at the Mouth of the Mississippi River*.

<sup>4</sup> Henry B. Richardson, in *Riparian Lands of the Mississippi River*.

## CHAPTER VIII

- <sup>1</sup> New Orleans Times-Democrat, March 15, 1891.
- <sup>2</sup> Annual Cyclopædia, 1893.
- <sup>3</sup> Norman Walker, in Standard History of New Orleans.
- <sup>4</sup> Report of Adjutant-General Allen Jumel, 1900.
- <sup>5</sup> William Allan, Life and Work of John McDonogh.

## CHAPTER IX

- <sup>1</sup> Data kindly furnished by Dr. I. M. Cline, District Forecaster, Weather Bureau, New Orleans.
- <sup>2</sup> Publications of the Louisiana Historical Society, 1902.



## INDEX



## INDEX

### A

- Abbadie, d', appointed commandant, I, 144; receives letter from King announcing transfer, 148; his death, 151  
 Abeille de la Nouvelle-Orléans, IV, 261  
 Abell, Judge Edmund, IV, 81, 101  
 Acadia, settlement of, I, 12  
 Acadians, arrival of, I, 147, 152, 153; history of their expulsion, 153; contract with them, 243; arrival, II, 110; census in 1787, 116  
 Adair, Gen., III, 48, 122, 124, 125, 137, 149  
 Adams, Henry, II, 276; III, 99  
 Aime, Valcour, his Plantation Diary, III, 198; pioneer in refining sugar, 229  
 Alderman, Dr. E. A., president Tulane University, IV, 243; educational campaign, 264  
 Allemands, Bayou des, engagement at, IV, 30  
 Allen, Henry W., distinguishes himself at Vicksburg, IV, 25; is wounded at battle of Baton Rouge, 28; elected governor by Confederates, 39; establishes State stores, factories, and foundries, 44; protests against destruction of cotton, 58; advises surrender, 61; his farewell address, 62; his death, 65  
 Almonester, II, 7, 117, 118; builds cathedral and Cabildo, 188  
 Amiens, treaty of, II, 179  
 Anaya, Juan de, III, 139  
 Anderson, Thomas C., member Returning-Board, 1872, IV, 122; member Returning-Board, 1876, 181; tried, 196  
 Angell, Col. J. G., IV, 149, 151  
 Antoine, C. C., claims to have been elected lieutenant-governor in 1872, IV, 126; declared elected in 1876 by Returning-Board, 182  
 Antonio de Sedella (Père Antoine), II, 62, 140; III, 206  
 Arbuckle, Col., III, 156, 158  
 Arensbourg, Chevalier d', I, 70, 207  
 Argès, d', II, 131, 132, 136, 137  
 Arkansas, ram, IV, 25, 26, 27, 29  
 Armant, Col. Léopold, engagement at Labadieville, checks advance of Gen. Weitzel, IV, 31; killed, 47  
 Arroyo, Oscar, IV, 164, 181  
 Artaguette, d', I, 53, 54, 63, 120, 121  
 Arthur, President, starts machinery New Orleans Exposition from Washington, IV, 216  
 Ascantia, Bayou, I, 38  
 Athénée Louisianais, foundation, names of presidents, secretaries, and contributors to its journal, IV, 260  
 Aubert-Dubayet, IV, 264  
 Auberville, d', I, 135; II, 22  
 Aubry, is mentioned for bravery, I, 139; succeeds D'Abbadie, 151; transfers province to Ulloa at the Balize, 161; protests against expulsion of Ulloa, 168; gives O'Reilly full account of events of 1768, 212; his account of the arrest of Lafrénière and his companions, 218; arrests Foucault, is shipwrecked, 219  
 Audubon, J. J., great naturalist, IV, 263  
 Augur, Gen., IV, 34  
 Augustin, J. N., Jr., only officer from Louisiana in regular army killed in war of 1898, IV, 238  
 Avery salt mines, IV, 31  
 Ayllon, Vasquez de, I, 4  
 Aymé, de Noailles d', I, 125, 126; II, 22

## B

- Badger, Gen. A. S., IV, 148, 150, 152  
 Bailey, Capt. Theodorus, IV, 11, 13, 14  
 Bailey, Col. Joseph, saves Federal fleet by constructing a dam across falls of Red River, IV, 149  
 Baird, Gen. Absalom, asks instructions from Washington on July 28, 1866, IV, 83; sends to barracks for troops, 84; proclaims martial law, 85  
 Baker, Joshua, appointed governor, IV, 108  
 Baker, Marion A., hoists flag of Louisiana over City Hall, IV, 14; conveys mayor's letter to Farragut, 17; 19  
 Baker, Capt., III, 124, 136  
 Bank, State, of Louisiana, III, 185  
 Banks, Gen. N. P., supersedes Gen. Butler, IV, 24; his campaign in the Tèche country, 33; besieges Port Hudson, 34; captures it, 35; orders election for State officers, 39; his regulations about labor, 40; marches on Shreveport, 45; is defeated at Mansfield, 46; battle of Pleasant Hill, 47; returns to New Orleans, 49; his views on negro suffrage, 53; establishes Board of Education for freedmen, 54; succeeded by Gen. Canby, 62  
 Barataria, III, 84, 85, 86, 87  
 Barbé-Marbois, is consulted by Bonaparte, II, 235; agrees entirely with him, 257; in Livingston's house, 261; negotiates treaty of cession, 262-266  
 Barrancas, Fort, captured by Galvez, II, 93; blown up by Spaniards, III, 100  
 Baton Rouge, origin of name, I, 39; captured by Galvez, II, 64; capital, III, 250; captured by Federal fleet, IV, 25; battle of, 27; capital, 199  
 Batture affair, III, 53-57, 224  
 Baudry des Lozières, I, 174, 229  
 Bayagoulas, the, I, 35, 38  
 Beale, Capt., III, 112, 139, 165  
 Beard, Dr. C., addresses people on Sept. 14, IV, 144  
 Beaudoin, Father, I, 138  
 Beaudreau, I, 136, 137  
 Beauharnais, Chevalier de, I, 125  
 Beaujeu, I, 26, 27  
 Beaubois, Father de, I, 103, 105, 107  
 Beauregard, Gen. G. T., in Mexican War, III, 247; opens fire on Fort Sumter, IV, 5; his biography, 66; advises dignified submission, 101; his death, 229; his historical works, 261  
 Beauvais, Armand, Speaker of House, III, 190; acting governor, 213; candidate for governor, 214  
 Beer, William, II, 325, 326  
 Behan, Wm. J., IV, 136, 149, 212  
 Bell, Capt. Henry H., IV, 11, 19  
 Bell, Thomas F., IV, 223  
 Bellechasse, Col., II, 292; III, 17, 18, 25, 36, 37, 55, 80  
 Belle-Isle, I, 139  
 Bellerive, III, 174  
 Beluche, Capt., III, 123, 126, 137, 170, 174  
 Bemudez, Judge Edward, IV, 223  
 Benjamin, Judah P., writes articles on sugar, III, 229; member convention, 1845, 233; United States senator, 256; presents standard in name of ladies of New Orleans, IV, 5; is exempted from amnesty, 56  
 Bercier's, Capt., Orleans artillery, IV, 244  
 Bernadotte, II, 179  
 Bertel, Lieut., III, 123  
 Berthier, Gen., negotiates treaty of St. Ildefonso, II, 178  
 Bienvenu, Bayou, description of, III, 108; the British enter, 109  
 Bienville de Noyan, I, 169, 175, 229  
 Bienville, Jean-Baptiste Le Moyne de, goes to mainland with Iberville, I, 35; accompanies Iberville in his search for the Mississippi, 37; appointed second in command at Biloxi, 42; is sent by Sauvole to explore the Mississippi, 43; goes to the Northwest, succeeds Sauvole, 46; founds Fort Louis of Mobile, 48; is to be superseded by De Muys, remains in command, 53; is superseded by Lamothe Cadillac, 57;



- punishes the Natchez, 62; is reappointed governor, founds New Orleans, 68; transfers capital to New Orleans, 71; subdues the Natchez, 99; is recalled to France, 100; invites Ursuline nuns to come to New Orleans, 103; is reappointed governor, prepares for war against the Chickasaws, 119; his unsuccessful expedition, 120; his narrative of the expedition, 122; his second expedition, 125; his letter to the minister, 127; he establishes a hospital with money left by Jean Louis, 128; asks for a college of the Jesuits, 129; leaves Louisiana, 130; calls on Choiseul, dies, 152
- Billon, II, 312, 313, 315, 316, 320
- Biloxi, first fort, I, 36; New Biloxi, I, 68
- Biloxis, the, I, 35
- Bimini, island of, I, 3
- Black Code, I, 85; III, 51
- Blanchard, Capt., III, 141
- Blanchard, Capt. Albert G., commands Phoenix Company during Mexican War, III, 246
- Blanchard, Judge N. C., IV, 247, 265
- Blanque, J., III, 80, 92, 94, 96, 175
- Blennerhassett, III, 44, 45, 47
- Boisblanc, Hardy de, I, 175, 215, 224, 228
- Boisbriant, I, 45, 68, 100, 103; II, 341
- Bollman, Dr. Erich, III, 48
- Bonaparte, wishes to recover Louisiana, II, 177; sends Leclerc to Santo Domingo, 178; provides system of government for Louisiana, 180; consults Barbé-Marbois and Decrès, 255; decides to cede Louisiana to United States, 257; his wonderful judgment and promptness of decision, 259; prepares article third of treaty; his kind words about the Louisianians, 264; ratifies treaty, 269.
- Bonaparte, Lucien, negotiates treaty of Madrid of 1801, II, 178
- Boré, Etienne de, manufactures sugar with success, II, 158, 328; his biography, 159; first mayor of New Orleans, 246; resigns, III, 15; regent University of Orleans, 23; member House of Representatives of Louisiana, 36; disagrees with Claiborne, 38; responsible *in solido* with Gen. Villeré for \$10,000 for defense of State, 87
- Borgne, Lake, battle of, III, 102; canal, IV, 254
- Bosquet (Bosque), III, 141, 175
- Bossu, I, 134, 135, 215, 262
- Bouligny, Dominique, III, 36, 38, 88, 96, 201
- Bouligny, Francisco, announces O'Reilly's arrival, I, 209; his memoir on Louisiana, II, 20-55; 174
- Bovee, George E., IV, 122, 123
- Bowles, William Augustus, II, 151
- Bowyer, Fort, built by Gen. Wilkinson, III, 84; British repulsed from, 97; captured by British, 150
- Boyer, P. M., his report to Congress about riot in 1866, IV, 87, 88
- Bragg, Braxton, appointed commander-in-chief Louisiana troops in 1861, IV, 6; his biography, 66
- Braud, establishes a printing-press, I, 147; prints memorial of inhabitants in 1768, 175
- Breaux, Joseph A., IV, 218, 223, 247, 258
- Breckenridge, II, 255, 274
- Breckinridge, Gen. John C., commands Confederate forces at battle of Baton Rouge, IV, 27; fortifies Port Hudson, 29
- Brent, Maj. J. L., destroys the *Indianola*, IV, 31
- Brooke, Gen. John R., IV, 158, 159, 160
- Brooks, Col., III, 101
- Brown, James, III, 17, 23, 51, 57, 59, 80, 184, 200
- Bruns, Dr. J. Dickson, author of appeal to citizens on Sept. 13, 1874, IV, 139; 152
- Buchanan, Gen. Robert C., IV, 107, 108, 110
- Buckner, Col. John A., IV, 28, 62
- Burke, E. A., IV, 152, 215, 218.
- Burr, Aaron, conceives plan of great

confederacy in valley of the Mississippi, arrives at New Orleans, III, 44; buys Bastrop claim on Ouachita River, tried and acquitted at Frankfort, 45; meets Blennerhassett and his associates at mouth of Cumberland River, surrenders, is tried and acquitted at Richmond, Virginia, 47

Bush, Louis, III, 258; IV, 140, 183

Butler, Col., III, 117, 140

Butler, Gen. Benjamin F., command of New Orleans turned over to him, IV, 19; seizes press of New Delta, decides that municipal authorities will retain their power, 20; issues General Order No. 28; imprisons Mayor Monroe and Pierre Soulé, 21; his despotic rule in New Orleans, his treatment of foreign consuls, 23; disarms the inhabitants of New Orleans, sequesters property, is superseded by Gen. Banks, 24

## C

Cabeza de Vaca, crosses the Mississippi, I, 4

Cabildo, organization, II, 4; meets for first time, 6

Cabildo, the, built by Almonester, its cost, II, 188

Caffery, Donaldson, IV, 265

Cage, Duncan S., IV, 77

Calbo de Irazabal, II, 76, 79

Caldwell, James H., III, 225

Cambon, Ambassador Jules, visits New Orleans, IV, 255

Campbell, Gen., II, 82, 83, 84, 86, 87, 88, 92

Canada, ceded to England, I, 142

Canby, Gen., IV, 62, 75

Cantrelle, Michel, III, 17, 80

Capdevielle, Mayor Paul, IV, 244, 247, 257, 258

Capuchins, the, their jurisdiction, I, 106; quarrels between French and Spanish friars, II, 15.

Carmac (Carmick), Maj., III, 138, 163

Carmelites, I, 106

Carnegie, Andrew, IV, 257

Carondelet, appointed governor, II, 149; his regulations, 150; captures Capt. Bowles, 151; attends to internal improvements, 152; attends to fortifications, intrigues for separation of West from Union, 153; his proclamation about the Americans, 167; leaves Louisiana, 170

Carresse, I, 175, 215, 222, 224, 225, 226

Carrick, James, III, 14, 25, 36

Carroll, Gen., III, 112, 116, 124, 131, 136, 148, 202

Cartabona, lieutenant-governor Upper Louisiana, II, 315

Carter, Speaker George W., IV, 117

Cat Island, I, 35, 135, 137

Cavelier, I, 26, 27, 28

Cavelier, Col. Z., III, 165

Casa Calvo, Marquis de, takes possession of military government, II, 175; appointed commissioner to deliver Louisiana to France, 225; III, 21, 43, 44

Casey, Collector James F., his telegrams to President Grant in 1872, IV, 128

"Casket girls," I, 108

Casson, Dollier de, I, 14

Cathedral, destroyed by fire, II, 116; rebuilt by Almonester, its cost, 188

Cécile, Father, probably first teacher for boys in Louisiana, I, 107

Céloron, I, 125, 126

Census, in 1706, I, 52; of New Orleans in 1721, 1723, 1726, 1727, 100, 101; of Louisiana in 1769, II, 9; in 1785, 110; in 1788, 119; of Upper Louisiana in 1799, 176; of Louisiana in 1803, 301, 319; in 1810, III, 72; in 1890 and 1900, IV, 245

Centenary College, III, 193

Cession, to Spain, I, 142; to France, II, 178; negotiations, 262-265; treaty of, to United States signed, 265; text of treaty of, II, 335

Cevallos, II, 266

Chalmette plantation, occupied by British, III, 119

Chalmette or New Orleans, battle of, 125

- Champigny, I, 216
- Champlain, I, 12
- Chandeleur Island, I, 35
- Chapelle, Archbishop, IV, 233
- Charles III, I, 150; II, 140
- Charles IV, II, 140, 177
- Charlevoix, Father, his letter from New Orleans in 1722, I, 73
- Charlotte, Fort, I, 147; II, 74
- Chartres, Fort, I, 120, 134; II, 304, 305, 306
- Chateaugué, I, 68, 102
- Châteaumorant, I, 35, 37
- Chauveau, Lieut., III, 123, 125, 138, 174
- Chester, Gov., II, 83, 85, 86, 87, 92
- Cheveau, Capt., III, 124, 166, 174
- Chickasaws, I, 9; hostile to French, 51; wars with French, 120-125
- Choctaws, friendly to French, I, 51, 111
- Choiseul, I, 142, 143, 152
- Chopart, I, 110
- Choppin, Dr. Samuel, IV, 8, 9
- Chotard, Maj., III, 117, 139
- Chouteau, Auguste, establishes a fort at Great Osages, II, 164; founds St. Louis with Laclede, 308
- Chouteau, Pierre, notes on Col. Clark and Paincourt, II, 341; note on transfer of Upper Louisiana, 342
- Citizens' League, IV, 231
- Civil Service, IV, 232
- Claiborne, J. F. H., his "History of Mississippi," I, 114
- Claiborne, Richard, III, 157
- Claiborne, Gov. Wm. C. C., appointed commissioner, II, 276; receives Louisiana from Laussat, 227; his proclamation, 298; his address to the citizens of Louisiana, 300; establishes a Court of Pleas, III, 9; his biography, 11; his address to the people in 1804, 18; his first message, 19; delivers an address to representatives, 36; his reply to communication of Legislative Council and House of Representatives, 38; requests Morales and Casa Calvo to depart, 43, 44; patriotic message, is not of opinion that time has come for admission of Territory into the Union, 60; takes possession of West Florida in name of United States, 70; governor of State, 82; recommends effective organization of militia, issues proclamation about Baratarians, 83; offers reward for capture of Jean Lafitte, 88; his letter to Gen. Jackson, 89; orders militia to be held in readiness for active service, 95; stationed at Gentilly on Dec. 23, 1814, 112; orders doors of Legislature to be closed, 121; his farewell address, 179; elected United States senator, his death, 182; his obituary, 183
- Claiborne, William C. C., III, 213, 233, 245
- Clark, Daniel, II, 172, 250; III, 17, 18, 45, 49, 60
- Clark, Col. George Rogers, captures posts on Upper Mississippi, II, 307, 341
- Clark, William, II, 275
- Clay, Henry, Burr's counsel at Frankfort, III, 45; speech about West Florida in Senate, 71
- Cochrane, Admiral, III, 101, 102, 113, 150
- Codrington, Admiral, III, 100
- Coffee, Gen., III, 112, 113, 116, 117, 124, 131, 136, 148, 149
- Coiron, Jean Joseph, introduces ribbon cane, III, 228
- Cold, intense, I, 162; II, 12, 102; III, 198, 213; IV, 245
- Collot, Gen., II, 165, 166
- Concessions, earliest, I, 72
- Condé, Fort, built on present site of city of Mobile, I, 63
- Congress, its mode of reconstruction, IV, 72; passes Reconstruction Act, 92; supplementary act, 94
- Congressional committee, report about riot in 1866, IV, 87, 88; report on conduct of Federal officials in 1872, 119; report on events on January 4, 1875, 170
- Conrad, Charles M., II, 233, 260
- Constitution of 1812, III, 80; of 1845,



- 236; of 1852, 251; of 1864, IV, 52;  
of 1868, 104; of 1879, 198; of 1898,  
234
- Convention of 1811, III, 79; names of  
members, 80; of 1845, names of  
some important members, 233; pro-  
ceedings of, 234; of 1852, 251; se-  
cession, 257; of 1864, IV, 51; of  
1867, 104; of 1879, 198; of 1898, 233
- Conway, John R., mayor, IV, 108
- Cornay, Capt. Florian, killed in 1864,  
praised by Gen. Taylor, IV, 48
- Council, Legislative, acts of, III, 21,  
24
- Council, Municipal, established by  
Laussat, names of members, II, 240;  
names of first aldermen elected, III,  
25; letter to Madison, 62
- Council, Superior, in 1719, I, 68; re-  
organized in 1732, 118; petition from  
inhabitants received in 1768, 163-  
166; decrees expulsion of Ulloa, 167;  
address to the King, 169
- Courcelles, Gov., I, 14
- Crawley, Lieut., III, 123, 137
- Creoles, account of them by Bossu, I,  
134; account of them by Francisco  
Bouligny, II, 33
- Crozat, Antoine, I, 56, 57, 63
- Cruzat, Francisco, lieutenant-governor  
of Upper Louisiana, II, 314, 315
- Currency, during French domination,  
I, 107
- Customs, of colonial times, I, 231-253
- D
- Dagobert, Father, I, 138, 173; II, 8,  
12, 13, 14
- Daquin, Maj., III, 106, 112, 116, 124,  
165, 174
- Darby, III, 269
- Dauphine Island, I, 53
- Davezac, III, 118, 140, 174
- Daviess, III, 45
- Davis, Col., III, 125
- Davis, Jefferson, his death in New Or-  
leans, IV, 218
- De Blanc, Alcibiade, resists Metro-  
politan Brigade, IV, 134; justice Su-  
preme Court, 187
- De Blanc, Louis, III, 80, 266
- Debouchel, III, 238, 269, 270; IV, 259
- De Bow, J. D. B., III, 234, 249
- De Buys (Debuys), III, 17, 167, 172,  
239, 245
- Declouet, Alexander, III, 250, 260
- Declouet, Col., III, 120, 121, 122, 173
- Decrès, Admiral, II, 255, 257
- Deiler, Prof. J. H., IV, 202, 228, 262
- Déjan, Col., III, 122, 165
- Delpit, Albert, IV, 263
- Derbigny, Pierre, secretary council in  
1803, II, 246; commissioner to pre-  
sent memorial to Congress, III, 17;  
regent University of Orleans, 23;  
introduces memorial people of Loui-  
siana to Congress, 34; introduced to  
Burr, 44; member committee to re-  
vise "Old Code," 59; judge Su-  
preme Court, 82; elected governor,  
209; his death, 212
- Destréhan, II, 159, 246; III, 17, 23, 34,  
36, 37, 49, 80, 82, 96
- Dibble, Henry C., IV, 114, 116, 118,  
122, 143, 144
- Dick, John, III, 158
- Dickson, Col., II, 64, 83, 85, 88
- Dillard, Prof. J. H., IV, 257
- Dimitry, Alexander, first State super-  
intendent public schools, III, 250
- Districts, earliest, during French dom-  
ination, I, 72
- Dixon, Brandt V. B., first president  
Newcomb College, IV, 214
- Donaldson, II, 246; III, 25, 49
- Donaldsonville, founded, III, 49; Leg-  
islature meets there, 213; Legisla-  
ture leaves it, 215
- Dostie, Dr. A. P., IV, 82, 86
- Douay, Anastase, I, 22, 26, 27, 28, 34,  
37, 43
- Doucet, I, 175, 215, 223, 224, 228
- Dreux, Charles D., captain Orleans  
Cadets, IV, 6; first officer from  
Louisiana killed during Civil War, 7
- Dubourg, Abbé, III, 143, 144, 145
- Dubreuil, Joseph, I, 63, 101, 102, 133
- Dubuclet, III, 166, 174
- Ducros, III, 109
- Dumont's Memoirs, I, 81, 97, 107, 110,  
125



Duncan, Col., III, 120, 121, 122, 140  
 Duncan, Gen. Johnson K., IV, 12  
 Dunn, Oscar J., IV, 107, 108, 109, 110, 117  
 Duplessis, III, 25, 118, 140, 157  
 Dupré, Jacques, acting governor, III, 213; his message, 214  
 Durell, Judge E. H., president convention of 1864, IV, 52; his *ex parte* order in November, 1872, 123; his midnight order, 124; his *ex parte* order in December, 1872, 126  
 Durnford, Capt., his correspondence with Galvez, II, 71-74  
 Dutisné, I, 69  
 Dwight, Gen., IV, 34, 37

## E

Eads jetties, history of, IV, 203-208  
 Echevarria, Bishop, II, 13, 14  
 Edicts, from 1719 to 1729, I, 83  
 Elgee, J. K., his description of Confederate flag of Louisiana, III, 260  
 Eliot, Thomas D., his report to Congress about riot of 1866, IV, 87  
 Ellicott, Col., II, 166, 174  
 Elliott, Col., III, 136  
 Ellis, E. John, addresses people on Sept. 14, 1874, IV, 144  
 Elmore, Judge, IV, 122, 127  
 Emory, Gen., IV, 131, 158, 159, 160  
 English Turn, I, 43  
 Espiritu Santo, Rio del, I, 4; Bay of, 6  
 Estopinal, Albert, lieutenant-governor, IV, 244, 265  
 Eustis, George, III, 233  
 Eustis, James B., IV, 73, 77, 188  
 Exposition, of 1884, IV, 215; of 1885, 216  
 Ezpeleta, Col., II, 76, 80, 86, 89, 91, 126

## F

Farmar, Robert, I, 147  
 Farragut, Capt. David Glasgow, given command of expedition against New Orleans, IV, 10; runs gantlet of forts, 11; demands surrender of New Orleans, 13; threatens to bom-

bard city, 18; has State flag over City Hall lowered by his own men, 19; joins Federal fleet above Vicksburg, 25; passes Port Hudson, 32  
 Farrar, Edgar H., IV, 218, 224  
 Farrar, Preston W., III, 247, 248, 250  
 Faurie, II, 246, 288; III, 23  
 Favrot, H. L., account West Florida Revolution, III, 266  
 Federalists, oppose cession of Louisiana to United States, II, 275  
 Fenner, Charles E., IV, 73, 218, 223  
 Ficklen, Prof. J. R., II, 276; IV, 246, 258, 263  
 Fig-tree, introduced from Provence, I, 108  
 Filsca, Col. Charles, III, 246  
 Fitzpatrick, Mayor John, IV, 228, 231  
 Flanders, B. F., candidate for governor, IV, 39; representative to Congress, 69; appointed governor, 102  
 Flaujac, Gen. Garrigues de, III, 123, 125, 138, 166, 174  
 Flood, Dr., III, 118, 140  
 Florida, discovered, I, 4; De Soto attempts to conquer it, I, 5; ceded to Great Britain, 144  
 Florida, West, province formed, I, 146; Revolution, III, 64-71; debate about it in United States Senate, 71  
 Flower, Mayor Walter C., IV, 231, 244  
 Folch, Gov., III, 21, 64, 71  
 Fontainebleau, treaty of, Louisiana ceded to Spain, I, 142; text of treaty, I, 263  
 Forno's Native American Artillery, III, 244  
 Forstall, E. J., III, 229  
 Fortier, Alcée, III, 242; IV, 202, 218, 228, 232, 248, 258  
 Fortier, Capt. J. M., IV, 212  
 Fortier, Col. Michel, II, 246, 288, 292; III, 25, 89, 165, 168, 178, 266  
 Fortier, Col. Michel, Jr., III, 121  
 Foster, Murphy J., member Anti-Lottery Convention, IV, 223; governor, 227; his message in 1894, 230; re-elected governor, 231; his message in 1898, 235; his final message, 244; elected United States senator, 265

Foucher, P., III, 87, 96  
 Freedmen's Bureau, IV, 75, 76  
 French, B. F., I, 257; III, 240  
 Fromentin, Eligius, III, 184  
 Frontenac, I, 15, 18, 26  
 Fulton, Robert, his boat *New Orleans* arrives, III, 80; 186  
 Fuselier, Laclair, highly praised by Gen. Richard Taylor, IV, 29

## G

Gage, Gen., II, 306  
 Gaines, Gen., III, 158, 244  
 Gallinée, I, 14  
 Gally, Maj., III, 244  
 Galvez, Gov., Bernardo de, colonel Regiment of Louisiana, II, 19; provisional governor, 56; permits Pollock to collect munitions of war for Americans, 57; governor and intendant, 62; his expedition against Baton Rouge, 63-65; his expedition against Mobile, 70-74; his expedition against Pensacola, 75-93; obtains important commercial privileges for commerce, 97; leaves Louisiana, 103; viceroy of Mexico, 104; royal schedule concerning him, 104-108; his death, 109, 326  
 Galveztown, II, 61  
*Galveztown*, brig, II, 77, 80, 81, 82, 83, 90, 108  
 Garay, Francisco de, I, 4  
 Gardner, Gen. Franklin, defends Port Hudson, IV, 34; surrenders, 35  
 Gardoqui, II, 116, 118, 128, 138, 139, 141, 154  
 Garfield, James A., one of the visiting statesmen in 1876, IV, 181  
 Gas Light Company, established, III, 211  
 Gayangos, Pascual de, II, 131, 147  
 Gayarré, the contador, I, 159, 167, 221  
 Gayarré, Charles, member House of Representatives of Louisiana, III, 213; chairman committee on address to French people in 1831, 219; elected United States senator, 224; secretary of State of Louisiana, 238; his account of demolition of Know-

Nothing party, 254; his works, IV, 259, 260, 262, 265  
 Gayoso de Lemos, makes treaty with Indians, II, 152; people of Natchez rise against him, 168; appointed governor, 169; his regulations; 171; his death, 174  
 Gêneveaux, Father Hilaire de, II, 12, 13  
 George, Fort, captured by Galvez, II, 92  
 German Coast, established, I, 70  
 Gibbs, Gen., III, 125, 126  
 Gibson, Col., III, 118, 136  
 Gibson, Gen. R. L., IV, 68, 213, 217  
 Girod, Mayor, III, 4, 147, 167  
 Gladden, A. H., IV, 5, 68  
 Gleig, George Robert, III, 141, 142, 267  
 Glynn, John, Jr., IV, 149, 150, 265  
 Godoy, II, 177  
 Gottschalk, Louis Moreau, IV, 264  
 Graaf, Lawrence de, I, 35  
 Graham, secretary Territory of Orleans, III, 35, 47  
 Grandpré, Carlos de, II, 96, 169, 253; III, 40  
 Grandpré, Louis de, III, 64, 67, 68  
 Grant, U. S., orders Gen. Mower to suspend removals pending Gen. Hancock's arrival, IV, 103; does not sustain Gen. Hancock, 107; his decision made about election of 1872, 131; his proclamation on Sept. 15, 1874, 158; orders reinstatement of Kellogg, 160; his special message to the Senate in January, 1875, 176; statesmen sent by him to Louisiana, 181; orders *status quo* to be preserved, 187; refuses to use military to support Packard, 188  
 Gratiot, Charles, II, 318  
 Gravier, B., III, 53  
 Gravier, John, III, 54  
 Green, Gen. Thomas, distinguishes himself in campaign of 1863, IV, 33; is repulsed at Fort Butler, 36; drives Federals into Donaldsonville, defeats them at Fordoche and Bayou Bourbeau, 37; is killed, 48  
 Griffith, Capt., III, 166

Grimaldi, I, 142, 228  
 Grover, Gen., IV, 33, 34  
 Grymes, III, 56, 106, 124, 140, 224, 229, 233  
 Guibert, Capt., III, 165, 173  
 Guichard, Magloire, III, 80, 168, 172  
 Gurley, III, 25, 36

## H

Hachard, Sister Madeleine, her letters, I, 103-105  
 Hahn, Michael, elected governor by Free State party, IV, 39; his message, 55; elected United States senator and resigns governorship, 70; makes violent speech in July, 1866, 82; escapes from Mechanics' Institute, 86; elected Speaker by Republicans, 170; resigns speakership, 179  
 Hall, Judge Dominick A., appointed United States district judge, III, 17; judge Supreme Court, resigns, 82; grants writ of habeas corpus to Louallier, is arrested by Jackson, 156; is released, 159  
 Hamilton, Gov., II, 307  
 Hamilton, Peter J., about supposed discovery of Mississippi by Pineda, I, 4  
 Hamilton, W. S., III, 212  
 Hampton, Maj., III, 140  
 Hancock, Gen., military commander Fifth District, IV, 103; his wise administration, 104; asks to be relieved, 107  
 Hardy, Sir Thomas, III, 101  
 Harrison, Gen. Wm. Henry, II, 321  
 Hawks, Dr. F. L., first president University of Louisiana, III, 249  
 Hayes, President R. B., sends a commission to Louisiana, IV, 189; removes troops from New Orleans, 192; refers to discontinuance of use of army to uphold local State governments, 194  
 Haynes, Col., III, 118, 133, 140  
 Hays, Gen. H. T., IV, 68, 103  
 Hazeur, III, 36, 38, 87  
 Heard, W. W., elected governor, IV, 244; with McKinley at Cabillo, 247; delivers an address on Louisiana Day at Pan-American Exposition in 1901, 254; his message in 1902, 255  
 Heath, Edward, IV, 102, 108  
 Hébert, P. O., elected governor, his biography, III, 253; his services in the Confederate army, IV, 68  
 Helm, Gen., IV, 27, 28  
 Henley, Capt., III, 139  
 Hennepin, Father Louis, sets out to explore Illinois River, I, 19; is captured by the Sioux, 20; claims to have discovered the Mississippi, is exonerated by Gilmary Shea, 22  
 Hennessy, David C., chief of police of New Orleans, murdered by the Mafia, IV, 225  
 Herron, A. S., IV, 82, 101  
 Herron, F. J., IV, 122, 123  
 Hiens, I, 27, 28  
 Higgins, Col. Edward, IV, 12  
 Hill, Maj. J. D., IV, 150, 151  
 Hinds, Maj., III, 116, 124, 136, 149  
 Hiriart, S., III, 80, 138, 174  
 Historical Society, Louisiana, III, 242  
 Hollander, arrested by Gen. Jackson, III, 153  
 Hollins, Commodore, IV, 78  
 Hood, Gen. John B., dies in New Orleans, IV, 197  
 Hopkins, Stephen A., III, 82, 145, 166  
 Hospital, established by Jean Louis, a sailor, I, 127  
 Howard, Frank T., presents two school-houses to city of New Orleans, IV, 254  
 Howe, Judge W. W., IV, 232, 246, 262  
 Howell, Judge R. K., IV, 79, 86  
 Hubert, Commissary, I, 63, 68  
 Hubert, Father Darius, III, 259; IV, 68  
 Hudry, Capt., III, 165, 173  
 Humbert, Gen., III, 128, 139, 170, 171, 174  
 Humphreys, Capt., III, 123, 126  
 Hunt, Col. Thomas, IV, 28  
 Hunt, Randell, III, 245; IV, 7, 73



## I

Iberville, Pierre Le Moyne d', chosen for the Louisiana expedition, I, 32; sails from Brest, 34; explores Massacre Island, goes to mainland, 35; builds fort at Biloxi, 36; rediscovers the Mississippi, 37; goes up the river, 38; returns to his ships through Ascantia Bayou, 41; gives command of fort to Sautvole, sails for France, 42; returns to Biloxi, goes up to the Natchez country, 45; returns to France, his last voyage to Louisiana, 46; orders an establishment to be made on Mobile River, 47; sails for France, dies at Havana, 48

Illinois Country, II, 305, 306, 307

Indians, their boats, I, 79; names of tribes given by Le Page, I, 80; account of them by Francisco Boulligny, II, 40; trade with them, 121; speeches of chiefs, 123-126

Indies, Company of the, I, 65, 118

Innis, II, 162

Inquisition, attempt to introduce it in Louisiana, II, 62

Isleños, the, II, 61, 62

## J

Jackson, Gen. Andrew, his proclamation from Mobile, III, 98; captures Pensacola, arrives at New Orleans, 100; reviews troops, visits Fort St. Philip, orders bayous from Gulf obstructed, 101; declares martial law, 105; reviews troops, 106; takes precautions against surprise, 107; informed of arrival of British, 110; marches against British on Dec. 23, 1814, 112; repulses British, 114; his report of the battle of Dec. 23, 1814, 115; takes position on Rodriguez Canal, 118; his message to Claiborne about the Legislature, 121; description of his line of defense, 123; his first report of battle of New Orleans, 130; his second report, 132; his general orders

of Jan. 21, 1815, 135; his letter to Abbé Dubourg, 143; attends thanksgiving at the cathedral, 144; his letter to Mayor Girod, 147; his arbitrary treatment of the French in New Orleans, 151; arrests Louallier and Hall, 156; orders arrest of Hollander, Dick, and Lewis, 158; is tried for contempt of court and condemned by Judge Hall to pay a fine of \$1000, 160; reviews troops at Chalmette, 161; thanked by Congress, 162; visits New Orleans in 1816, 178; guest of Louisiana in 1828, 208; accepts invitation to visit Louisiana in 1840, 227; his death announced by Gov. Mouton, 239

Jackson, James, his remarks in the Senate about Bonaparte, II, 253; favors ratifying treaty of cession, 272

Jackson, Fort, passed by Farragut, IV, 11

Janssens, Archbishop, IV, 225, 229, 233

Janvier, Charles, president Citizens' League in New Orleans in 1896, IV, 231

Jefferson, Thomas, his messages about cession of Louisiana to France, II, 251; sends Monroe to France, 252; acts with moderation, 255; calls extraordinary session of Congress, 270; approves action of Livingston and Monroe, 275; his message announcing transfer to United States, 294; communicates to Congress digest of information concerning Louisiana, III, 3; considers form of government of Territory as temporary, 33; his conciliatory policy with regard to Florida and the Western boundary, 41; issues proclamation about conspiracy against Spain, 46; \$10,000 offered his family by Legislature of Louisiana, 208

Jefferson, college of, III, 195

Jesuits, their missions, I, 13; their spiritual jurisdiction, 106; introduce sugar-cane, 133; expelled from Louisiana, 146; their return, III, 195



- Johnson, President Andrew, recognizes government of Louisiana in 1865 and issues amnesty proclamation, IV, 70; his telegram about the Freedmen's Bureau, 76; his telegram in July, 1866, 83; his proclamation of Aug. 20, 1866, 88; his message of Dec. 3, 1866, 91; his veto of the Reconstruction Act, 92
- Johnson, Henry, member convention 1811, III, 80; United States senator, 184; elected governor, 200; in his inaugural address refers to Monroe Doctrine, 201; his address of welcome to Lafayette, 203; refers to internal improvements and mentions death of Adams and Jefferson, 208
- Johnson, Isaac, inaugurated governor, III, 239; favors university instruction, 247; says Congress has no authority over question of slavery, 248
- Johnston, Capt. George, I, 146
- Johnston, Josiah S., III, 200, 223
- Johnston, Col. William Preston, president Tulane University, IV, 214; 261, 262, 263
- Joliet, Louis, sets out with Marquette, I, 15; reaches the Mississippi, 16; reaches Green Bay, goes to Quebec, 17
- Jonas, B. F., IV, 73, 198
- Jones, Evan, III, 17, 18, 23, 24, 36
- Jones, Lieut. Thomas Ap Catesby, commands American flotilla at battle of Lake Borgne, III, 102; is wounded, 103
- "Journal Historique," I, 43, 50
- Joutel, I, 26, 27, 28, 34
- Jumonville, his death at Great Meadows, I, 134
- tion, 113; wounded at battle of New Orleans, 126
- Kearny, Lieut. Lawrence, commander *Enterprise*, destroys Lafitte's establishment at Galveston, III, 169
- Kellogg, W. P., elected United States senator, IV, 109; brings suit against John McEnery, 123; his telegram to Attorney-General of United States in Dec., 1872, 130; seizes arms and ammunition, 138; his abdication demanded, 142; the situation at his camps on Sept. 14, 1874, 146; takes refuge in Custom-house, 153; reëstablished by Grant, 160; defends his administration, 161; his orders to General de Trobriand, 168; impeachment proceedings against him, 180; barricades State House, 183; elected United States senator by the Packard Legislature, 191
- Kely, Juan, I, 226
- Kemper, III, 40, 70, 71, 171
- Kenner, Duncan F., III, 17, 233, 250, 251, 260; IV, 74
- Kennon, Capt. Beverley, commands *Governor Moore*, IV, 11
- Kerlérec, Gov., his arrival, I, 135; discord during his administration, 138; erects barracks in New Orleans for garrison of Fort Duquesne, 139; is recalled, 145
- Kerr, Dr., III, 118, 140
- Kerr, Lieut., III, 123, 138
- Kernion, Huchet de, I, 166, 167
- King, Grace, IV, 246, 258, 262
- Knobloch, Lieut.-Gov., IV, 212
- Know-Nothing party, III, 254, 255
- Kruttchnitt, E. B., IV, 233
- Ku-Klux-Klan, IV, 112

## L

- K
- Kaskaskia, II, 304, 305
- Kautz, Lieut. Albert, IV, 17, 19
- Kavanaugh, Maj., III, 118
- Keane, Gen., commands British army, III, 101; orders Bayou Bienvenu reconnoitered, 108; his proclamation, 113; wounded at battle of New Orleans, 126
- La Barre, Le Febvre de, I, 26
- La Branche, Alcée, III, 213, 221, 224, 245
- La Branche, Col. Alexandre, III, 80, 145, 146
- La Buissonnière, de, I, 125
- Labuscière, II, 311
- La Chaise, de, I, 103

- Laclede, Pierre Liguist, founds St. Louis, II, 308; his death, 314
- Lacoste, Major Pierre, III, 80, 87, 110, 113, 116, 118, 139, 146, 165, 174
- La Croix, Du Sau de, III, 87, 96, 110
- Lafayette, arrives in Louisiana, III, 203; his reply to Gov. Johnson's address, 204; his reception in New Orleans, 206; his reception in Baton Rouge, 207
- Lafitte, Jean, chief of Baratarians, III, 85; offers for Claiborne's head thirty times amount offered for his capture, 88; receives papers from British, 90; sends them to J. Blanque, 92; his letter to Claiborne, 93; his establishment at Barataria destroyed, 95; his services accepted, 107; praised by Jackson, 138; is pardoned by Madison, goes to Galveston, 169; his death, 170; mentioned by Marigny, 174
- Lafitte, Pierre, III, 90, 94, 138, 174
- Lafrénière, Nicolas Chauvin de, named attorney-general of Louisiana, I, 144; suggests petition to King, 152; addresses a meeting in New Orleans, 163; addresses the Council, 166; chief of the Revolution of 1768, 174; addresses O'Reilly, 209; is arrested, 215; is condemned to death, 224; is executed, 225
- La Harpe, Bénard de, I, 69, 72
- Lakanal, Joseph, president college of Orleans, III, 192, 193
- Lambert, Gen., becomes commander-in-chief of British, III, 128; retires from Villeré plantation, 129
- Lamothe Cadillac, Gov., I, 57, 62
- Landry, Trasimond, first lieutenant-governor of State of Louisiana, III, 213, 239
- Laroque Turgeau, III, 191, 195
- La Ronde, Denis de, III, 80, 87, 110, 113, 116, 118, 139, 146, 165, 174
- La Rouvillière, I, 132
- La Salle, Nicolas de, I, 48, 54, 60
- La Salle, Robert Cavalier de, his birth, his first voyage of discovery, I, 14; discovers Ohio River, 15; obtains patent from King, meets Tonty, 18; reaches the country of the Illinois, builds Fort Crèvecoeur, 19; journeys from Fort Crèvecoeur to Fort Frontenac, 22; reaches Gulf of Mexico and takes possession of country in name of Louis XIV, 23; establishes Fort St. Louis of the Illinois, is authorized by King to colonize Louisiana, 26; passes by mouth of Mississippi and establishes Fort St. Louis of Texas, 27; is murdered, 28
- Lassus, Carlos Dehault de, last lieutenant-governor of Upper Louisiana, II, 316; his proclamation, 317; transfers Upper Louisiana to Capt. Stoddard, 318; governor of West Florida, III, 64; is taken prisoner at Baton Rouge, 67; agrees to be responsible *in solido* with Gen. Villeré for \$10,000 for defense of Louisiana in 1814, 87
- Last Island, catastrophe, III, 255
- La Tour, Blondel de, I, 71, 72, 97
- Latour, Maj. Lacarrière, chief authority on campaigns of Jackson in 1814 and 1815, III, 100, 103, 110, 114, 118, 124, 127, 140, 147, 174
- Latrobe, III, 140
- Lauderdale, Col., III., 118, 136
- Launay, de, I, 166, 167
- Laussat, Pierre-Clément de, appointed colonial prefect, II, 179; arrives in New Orleans, 221; his proclamation, 222, 332; addresses from inhabitants of New Orleans and planters of Louisiana, names of signers, 229-233; extracts from his letters, 233-235; appointed commissioner to receive province from Spain and to transfer it to United States, 236; transfer to France, 237; balls given by him and by Casa Calvo, 239; announces transfer to France, 241; his second proclamation, 242, abolishes the *cabildo* and establishes a municipal government, maintains the Black Code, 246; his despatch announcing transfer to United States, 277; his "Memoirs," 280-294; relates ceremonies of transfer from

- Spain to France, 280; his balls, 282; relates ceremonies of transfer to United States, 284; ball offered to Mme. de Laussat by City Council, 288; relates curious incidents at balls, 288-291; calls on Boré, Casa Calvo, Wilkinson, and Claiborne, 291; distributes gunpowder among eminent Louisianians friendly to France, 292; leaves Louisiana, 293; his later career, 294
- La Villebeuvre, Col. de, II, 122, 123
- Law, John, his financial and colonizing scheme, his biography, I, 64
- Lawrence, Maj., repulses the British at Fort Bowyer, III, 97
- Le Breton, I, 176; II, 328; III, 14, 17, 79, 80, 87, 88
- Le Camp, Jean, has first male child born in Louisiana, I, 52
- Le Clercq, I, 22, 26
- Lefebvre, Capt., III, 141, 174
- Lefebvre, Joseph, II, 310
- Legislature, acts in 1806, III, 49; acts in 1807, 52; refuses in 1815 to suspend habeas corpus and to adjourn, 105; interference with, in Dec., 1814, 120; omits Jackson's name in vote of thanks, 148; defended by Alexander Walker, 149; resolutions in 1815, 163; requests that *Te Deum* be sung at cathedral, 178; laws in 1817 and 1818, 185; attends celebration at cathedral on anniversary battle of New Orleans, 216; interference with, by military in Jan., 1875, IV, 168
- Le Moyné, Charles, names of his children, I, 33
- Le Page du Pratz, his History of Louisiana, I, 61, 69, 74, 75, 76, 110, 116
- L'Épinay, Gov. de, I, 62
- Lery, de, I, 111
- Lesassier, I, 169, 207
- Le Sueur, his blue and green earth, I, 45
- Levee system, history of, IV, 210-212
- Lewis, Capt. Meriwether, II, 275, 318
- Lewis, Joshua H., III, 158, 178
- Leyba, Fernando de, lieutenant-governor Upper Louisiana, II, 314
- Lhut, Greysolon du, I, 20
- Library, Howard Memorial, Public, IV, 232
- Limpach, Bernard de, II, 314
- Lincoln, President, his mode of reconstruction, IV, 69
- Literature, French, of Louisiana, IV, 259; English, 261
- Livaudais, II, 246; III, 80, 87
- Livingston, Col. Lewis, III, 140
- Livingston, Edward, drafts petition to Congress, III, 17; regent University of Orleans, 23; vestryman Christ Church, 24; his connection with the Batture affair, 54-57; member of committee to revise "Old Code," 59; member committee of public defense, 96; aide-de-camp to Jackson, 106; mentioned by Jackson, 118, 140; moves Legislature tender thanks to Gov. Villeré, 190; United States senator, his later career, 210; his codes, 211
- Livingston, Robert R., minister to France, his memoir on Louisiana, II, 249; his letters to Madison, 250; another letter to Madison, 260; he and Monroe treat for the whole province, 263; their letter to Madison, 266; engaged in steam navigation with Fulton, III, 186
- Lockyer, Capt., III, 90, 91, 102, 103
- Loftus, Maj., I, 146
- Longstreet, Gen. James, IV, 123, 148, 150, 156
- Longueil, Baron de, II, 262
- Lottery Company, IV, 220, 225
- Louallier, Louis, makes patriotic report in 1814, III, 105; his criticism of Jackson, 152; his arrest, 156; is acquitted by court martial, is liberated, 159; mentioned in resolutions of Legislature, 168
- Loubois, de, I, 72, 111, 112
- Louis XIV, Louisiana named for him, I, 21; possession taken in his name, 23; 31, 47, 64
- Louis XV, his letter announcing cession to Spain, I, 148; his death, II, 18
- Louis, Fort, of Mobile, founded by Bienville, I, 48; census of 1706, 52;



- abandoned in 1710, 63; Fort Louis or New Biloxi, 68
- Louisiana, the name, I, 21; La Salle takes possession, 23; La Salle endeavors to colonize it, 26; Sauvole, first governor, 42; granted to Crozat, 56; Crozat surrenders his charter, 63; granted to Mississippi or Western Company, 64; limits as given by Le Page du Pratz, climate, 77; Company of Indies surrenders charter, 118; ceded to Spain, 142; retroceded to France, II, 178; debate in Senate of United States about, 253-255; digest of information concerning, communicated to Congress by Jefferson, III, 3-9; divided into two parts by Congress, 12; becomes a State, 79; names of first officials of State, 81; names of Confederate generals from, IV, 68; French literature, 259; English literature, 261; names of presidents of educational institutions, 264; names of State officials and of representatives in Congress in 1903, and of United States senators from 1885-1903, 265
- Louisiana, College of, III, 193
- Louisiana Legion, III, 197
- Louisiana State University, III, 237; recognized by Constitution of 1879, IV, 202
- Louisiana, University of, III, 237; academic department established, IV, 202
- Louisiana, Upper, transferred to United States, II, 318; population in 1803 and 1804, 319
- Lovell, Gen. Mansfield, his letter to Beauregard, IV, 9; orders to burn cotton, sugar, and tobacco in New Orleans, 13; refuses to surrender city and retires, 14
- Loyola, I, 159, 167, 221
- Lynch, John, president Returning-Board in 1872, IV, 22
- Madrid, treaty of, II, 99, 178
- Mafia, the, IV, 225
- Magne, I, 258
- Magruder, Allan B., III, 80, 82, 84
- Major, Gen. J. P., IV, 45
- Malcolm, Admiral, III, 101
- Manchac, I, 38; trade with English at, II, 26, 39, 46
- Mansfield, battle of, IV, 46
- Marant, Lieut., III, 124
- Margry, I, 31, 257
- Marigny de Mandeville, I, 139
- Marigny, Bernard de, III, 80, 87, 171, 172, 191, 195, 200, 205, 215, 233, 234, 235, 266
- Marquette, Father, sets out with Joliet, I, 15; reaches the Mississippi, 16; his death, 17
- Marquis, I, 175, 209, 215, 222, 224, 225, 226
- Marr, R. H., chairman Committee of Seventy, IV, 137; reads resolutions at meeting, Sept. 14, 1874, 141; reports to meeting Kellogg's answer, 143; addresses meeting, 144; addresses people on Sept. 15, 156; issues an address to people in 1875, 176; appointed justice Supreme Court, 187
- Martin, Judge François Xavier, his independent spirit, III, 231; his biography, 241; his History of Louisiana, IV, 261
- Martin, Walker, III, 137
- Masan, I, 175, 215, 223, 224, 228
- Massacre Island, I, 35
- Mather, III, 18
- Matthews, II, 126, 127, 209; III, 35
- Maurepas, I, 31, 41; Lake, 258; Fort, 258
- Mauvila, I, 8
- Maxent, II, 76, 121, 307, 314
- Mazureau, Etienne, III, 224, 229

## M



- M'Causland, Gen., III, 166  
 McClellan, Lieut., III, 136  
 McConnell, James, IV, 73, 214  
 McCrea, III, 116, 137  
 McDonogh, John, III, 86; his monument, IV, 238; his biography, 239; his will, 240  
 McEnery, John, member Legislature in 1865, IV, 73; elected governor, 122; asks Grant in 1872 to suspend recognition of either of dual governments, 131; surrenders government buildings to Gen. Brooke, 159; he and Penn issue an address to people of Louisiana, 161; protests against decision Returning-Board in 1874, 164; addresses President Grant, 176  
 McEnery, Samuel D., elected lieutenant-governor, succeeds Governor Wiltz, IV, 209; gives much attention to levees, 212; delivers address on opening of Exposition in 1884, 216; judge Supreme Court, 217; United States senator, 265  
 McGilivray, Alexander, II, 100, 122, 126, 127, 151  
 McGloin, Frank, IV, 149, 153, 262  
 McKeever, Lieut., III, 102, 103  
 McKinley, President William, visits New Orleans, IV, 246; is received in Cabildo by Louisiana Historical Society, 247; his addresses at the Cabildo, 252, 253  
 Mechanics' Institute, IV, 86  
 Medical College of Louisiana, III, 194  
 Méjan, Count, IV, 18  
 Membré, Father Zénobe, I, 22, 25, 26, 34  
 Memorial of Planters and Merchants, 1768, I, 177-205  
 Mendez, II, 158, 160  
 Merchants, names in 1766, I, 160  
 Mercier, Dr. Alfred, founder Athénée Louisianais, first secretary, principal contributor to its journal, IV, 259, 260  
 Mercier, Dr. Armand, first president Athénée Louisianais, IV, 260  
 Methodist Episcopal church, III, 197  
 Milhet, Jean, I, 152, 159, 162, 175, 209, 215, 223, 224, 228, 229  
 Milhet, Joseph, I, 163, 175, 215, 223, 224, 225, 226  
 Mills, John, III, 64  
 Miltenberger, Col. E., his mission to France, IV, 59; received by Napoleon III, 60  
 Miró, appointed governor, II, 109; his letter to commissioners of Georgia, 111; grants privileges to British settlers in Florida, 112; his *bando de buen gobierno*, 113; his dealings with the Indians, 125, 126; mentions Gen. Wilkinson's projects about Kentucky, 132; has not entire confidence in Wilkinson, 136; complains of Ezpeleta, 138; prevents establishment of the Inquisition, 140; prohibits introduction of boxes, clocks, coins, with figure representing "American Liberty," 145; leaves Louisiana, 146  
 Mississippi Bubble, I, 65  
 Mississippi Company, I, 64  
 Mississippi River, said to have been discovered by Pineda, I, 4; crossed by Cabeza de Vaca, 5; discovered by De Soto, 9; rediscovered by Marquette and Joliet, description, 16; La Salle descends it to the Gulf, 23; western boundary United States, II, 163; report on inundations, III, 211  
 Mississippi Territory, established, II, 169  
 Mitchell, Archibald, IV, 137, 150  
 Mitchell, Commander John K., IV, 12  
 Mobile, city of, Fort Louis, I, 48; Fort Condé, 63; ceded to British, 143; captured by Galvez, II, 74  
 Mobile River, said to have been discovered by Pineda, I, 4  
 Moncacht-apé, I, 261  
 Moncure, John C., IV, 60, 164  
 Monette, J. W., his "History of the Valley of the Mississippi," frequently referred to, I, II, III  
 "Moniteur de la Louisiane," earliest number extant, II, 155; Nos. 304 to 371, 216-228  
 Monroe, James, is sent to France by Jefferson, II, 252; arrives in Paris, 261; he and Livingston treat for

- whole province, 263; letter to Madison, 266; sent to Spain for settlement of Florida question, III, 40; advises Jackson of expedition of British, 99
- Monroe, Judge F. A., IV, 247, 258
- Monroe, Mayor John T., refuses to lower State flag, IV, 14; his letter to Farragut, his courage, 15; protests against General Order No. 28, is imprisoned by Butler, 21; re-elected mayor, 75; removed from office by Gen. Sheridan, 101
- Montégut, J., III, 82, 174
- Montreal, founded, I, 13; captured by British, 142
- Monts, de, I, 12
- Moore, Gov. Thomas O., elected governor, III, 256; calls special session of Legislature, advises calling State convention, seizes barracks and Federal property in Louisiana, 257; calls for troops, his address to the people, IV, 6; expresses pride at gallant conduct of Louisianians, 8; gives aid to Gen. Taylor, 29; exempted from amnesty, 56
- Morales, Intendant, II, 165, 166; abolishes right of deposit at New Orleans, 172; 173, 238, 276; III, 43
- Moranget, I, 27, 28
- Moreau, Gen., III, 269
- Moreau, Lislet, III, 51, 57, 59, 190
- Morel, P. L., III, 156, 168
- Morgan, Col. G. W., III, 166
- Morgan, Gen. David, III, 80, 114, 119, 124, 125, 128, 130, 131, 141
- Morgan, George, II, 128, 138
- Morgan, Thomas A., III, 229
- Morim, II, 160, 161
- Morphy, Paul, great chess-player, IV, 264
- Morris, Gouverneur, II, 254
- Morris, John A., IV, 220, 222, 224, 225
- Moscoso, Luis de, sails down Mississippi River, I, 10
- Mouton, Gov. Alexandre, Speaker of House, III, 213; elected governor, 232; sends two artillery companies to Texas, 238; purchases manuscripts relating to history of Louisiana, announces death of Jackson, 239; president Convention, 1861, 257; votes for ordinance of secession, 259
- Mouton, Gen. Alfred, reports to Taylor for duty, IV, 30; distinguishes himself in campaign of 1863, 33; serves in Red River campaign, 45; is killed at Mansfield, 47
- Mower, Gen. Joseph A., IV, 103
- Mullens, Col., III, 125
- Mumford, W. B., pulls down United States flag from Mint, IV, 18; is executed, 22
- Musson, M., president meeting Sept. 14, 1874, IV, 140
- Muys, de, appointed to supersede Bienville, dies, I, 53
- N
- Narvaez, Pamphilo de, I, 4
- Natchez, revolt of the people, II, 95; surrender of Natchez to Americans, 169
- Natchez, the, first war against them, their customs, I, 61; war in 1723, 99; war in 1729, 110; their last stand, 114
- Natchitoches, founded by St. Denis, I, 61
- Navarro, Intendant, I, 159, 167, 221; II, 114, 118, 121
- Newcomb College, established, IV, 214
- New Iberia, founded by Francisco Bouligny, II, 60
- New Orleans, founded by Bienville, I, 68; becomes capital of colony, 71; description by Father Charlevoix, 73; description by Dumont, 97; fire in 1788, II, 116; fire in 1794, 156; deposit allowed Americans, 163; lighted and patrolled, 165; life in 1802 and 1803, 216-228; first City Council, 246; incorporated, III, 24; battle, 125; divided into three municipalities, 225; libraries in 1846, 240; the three municipalities consolidated, 251; captured by Farragut, IV, 19;

names of mayors from 1803 to 1862, 22; bureau system substituted to aldermanic, 114; new charter in 1882, names of mayors from 1872 to 1882, 212; new charter in 1896, 231  
 Nicholas, Wilson Carey, II, 162, 274  
 Nicholls, Col., III, 90, 91  
 Nicholls, Francis T., his services in the Confederate army, IV, 67; elected governor, 182; issues proclamations to people, 186, 188, 189; his message in 1878, 195; thanked by Democratic convention, 208; re-elected governor, 217; opposes recognition of lotteries by the State, 220; appointed chief justice Supreme Court, 228; 248, 258  
 Nicholls, Thomas C., III, 222  
 Nolte, Vincent, III, 80, 100, 106; his statement about cotton bales used on Jan. 8, 1815, 135  
 Norris, Lieut., III, 123, 126, 137  
 Noyan, de, I, 103, 127, 175, 215, 222, 224, 225, 226

## O

Ocean Springs, Old Biloxi established there, I, 36  
 Officers, list of, from 1725 to 1730, I, 117; list at end of French domination, 158  
 Ogden, Capt., III, 124, 140, 166  
 Ogden, Gen. F. N., president Crescent City White League, IV, 136; appointed general of State militia, 146; his report of the battle of Sept. 14, 1874, 148; commands White League on Jan. 9, 1877, 186; his general orders in 1877, 192  
 Ogden, Peter, III, 48  
 Orange-tree, introduced from Santo Domingo, I, 108  
 O'Reilly, Alejandro, appointed governor and captain-general, I, 208; arrives at the Balize, 209; arrives at New Orleans, 110; takes possession, asks Aubry for information, 211; arrests chiefs of Revolution, 215; his proclamation, 217; addresses the prisoners, 218; establishes a cabildo,

II, 4; introduces the laws of Spain, 6; his police regulations, 7; visits settlements along the river, 8; appoints commandants, his acts approved, leaves Louisiana, 9  
 Orleans, College of, III, 191, 192, 193, 207  
 Orleans, Louis-Philippe, duke of, visits Louisiana, II, 171  
 Orleans, Philip of, I, 64, 68  
 Orleans, Territory of, established by Congress, III, 12; debates in Congress, 13; divided into twelve counties, 22; new form of government, 35; admitted into Union, 76  
 Orleans, University of, names of regents, III, 23  
 Overton, Maj., defends Fort St. Philip against the British, III, 129  
 Owen, William Miller, III, 246

## P

Packard, S. B., opposes Gov. Warmoth, IV, 117; takes possession of State House, 126; declared elected governor by Returning-Board, 182; appeals to Grant, 187; surrenders State House, 192  
 Paincourt, II, 314, 341  
 Pakenham, Sir Edward, arrives at Villeré plantation and takes command of army, destroys the *Carolina*, III, 119; begins attack on Jan. 8, 125; is killed, 126  
 Palmer, Rev. B. M., IV, 213, 225, 253  
 Pantón, II, 121  
 Paris, treaty of, in 1763, I, 143; in 1783, II, 99; in 1803, 265; text of treaty of 1803, 335  
 Parkerson, W. S., leader Young Mens' Democratic Association in 1888, IV, 217; leader against Mafia in 1891, 225  
 Parkman, Francis, I, 13, 21, 154, 155  
 Parlange, Charles, IV, 223, 227  
 Parma, II, 178  
 Patterson, Commodore, III, 94, 95, 112, 125, 128, 139, 163  
 Pauger, I, 70, 71  
 Peddie, Lieut., III, 108



- Peire, Maj., III, 117, 124, 136, 174  
 Peñalver, first bishop of New Orleans, II, 162  
 Pénicaut, I, 35, 39, 43, 46, 55, 61  
 Penn, D. B., elected lieutenant-governor, IV, 122; issues proclamation on Sept. 14, 1874, 145; appoints Gen. Ogden commander of State militia, his proclamation to the colored people, 146; installed as acting governor, 156; his despatch to Grant, 157; he and John McEnery issue address to people of Louisiana, 161  
 Pensacola, captured by French, returned to Spain, I, 69; captured by Galvez, II, 93; captured by Jackson, III, 100  
 Perché, Archbishop, IV, 175, 230  
 Percy, Capt., III, 91, 97  
 Perez, Manuel, lieutenant-governor Upper Louisiana, II, 315  
 Périer, Gov., arrives, I, 102; his expedition against the Natchez, 113; is recalled, 117  
 Perkins, John, Jr., III, 258, 259, 260  
 Perkins, Lieut. George H., IV, 13, 14  
 Perry, Col., III, 123, 138  
 Peters, Samuel J., III, 225, 245  
 Petit, I, 175, 215, 223, 224, 228  
 Petit Cavalier, II, 246; III, 15, 17, 25  
 Pickens, II, 126, 127  
 Pickering, Timothy, II, 273  
 Piernas, Col., I, 159; establishes Spanish domination in Upper Louisiana, II, 311, 313  
 Pike, Lieut. Z. M., III, 52  
 Pinchback, P. B. S., sides with War-moth, elected president of Senate, IV, 17; assumes office of governor, 127  
 Pinckney, Charles, II, 250, 266  
 Pineda, Alvarez de, said to have discovered Mississippi River, I, 4  
 Pitot, James, III, 16, 17, 25  
 Pitt, Wm., I, 142, 143  
 Plauché, Maj. J. B., III, 106, 112, 116, 124, 127, 138, 165, 173, 250  
 Pleasant Hill, battle of, IV, 47  
 Poché, F. P., IV, 74, 208  
 Poindexter, his reply to Josiah Quincy, III, 74, 75  
 Pointe Coupée, I, 39  
 Polignac, Gen. C. J. de, serves in Red River campaign, IV, 45; succeeds Gen. Mouton, 47; his mission to France, 59  
 Polk, Bishop, commissioned major-general, IV, 7; his biography, 50  
 Pollock, Oliver, II, 18, 19, 139; III, 18  
 Pontalba, his Memoir on Louisiana, II, 186-215  
 Pontalba buildings, built by Baroness de Pontalba, daughter of Almonester, II, 189  
 Pontchartrain, I, 31, 32, 34  
 Pontchartrain, Lake, I, 41  
 Pontiac, II, 310  
 Porée, III, 14, 25  
 Porter, Alexander, III, 80, 209  
 Porter, Maj., III, 40, 41, 43  
 Porter, Commander David D., submits plan for capture of New Orleans, IV, 10; commands mortar-flotilla, 11; captures Alexandria, 33; collects fleet at mouth Red River, 45; his fleet above falls, 48; his fleet saved by construction of dams by Col. Bailey, his description of the work, 49  
 Port Royal, founded by De Monts and Poutrincourt, I, 12  
 Posey, Thomas, III, 82, 184  
 Poupet, I, 175, 215, 223, 224, 228  
 Poutrincourt, I, 12  
 Power, Thomas, II, 162, 169  
 Poydras, Julien, his biography, II, 66; his epic poem, 68; president Legislative Council, III, 21, 51; judge county Pointe Coupée, 26; delegate to Congress, 60; asks that Territory be admitted into Union, 73; president convention 1811, 79; president Senate, presidential elector, 82  
 Praslin, I, 169, 173  
 Pratt, Lieut., III, 103  
 Prentiss, S. S., III, 229  
 Presbyterian church, III, 197  
 Prevost, III, 17, 24  
 Prieur, Denis, III, 226  
 Provosty, Judge O. O., IV, 247  
 Prudhomme, III, 36, 38, 80



## Q

- Quebec, founded, I, 12; captured by English, 141
- Quincy, Josiah, his speech about admission of Territory of Orleans into the Union, III, 73, 74

## R

- Rada, Don Joseph de, II, 75
- Randolph, John, III, 34, 39
- Raphael, Father, I, 107
- Read, Midshipman John H., IV, 17
- Reconstruction, act passed, IV, 92; end of, 193
- Redemptioners, I, 84
- Regulations, Royal, from 1719 to 1729, I, 82
- Reid, Capt., III, 118, 140
- Rémonville, I, 31
- Rendon, Intendant Francisco de, II, 154
- Renné, Col., III, 126
- Rey, Felix del, I, 221
- Reynolds, Maj., III, 145
- Rhea, John, III, 65, 69
- Riano, Don Juan, II, 80, 81
- Richardson, Maj. H. B., IV, 210, 211
- Richardson, Henry H., IV, 264
- Richebourg, I, 72
- Rieux, Vincent, II, 65
- Rio Grande, name given to Mississippi by De Soto, I, 9
- Rios, Capt. Francisco, II, 311
- Robertson, Thomas B., representative in Congress, III, 82; elected governor, 190; his inaugural address, 196; his messages, 197-199; resigns and accepts position of United States district judge, 200
- Roberval, I, 12
- Robin, C. C., II, 240, 241, 302
- Roche, Capt., III, 165, 173
- Rochemore, I, 138, 144
- Roffignac, III, 172, 203
- Rogers, William O., IV, 213, 218, 243
- Roman, Alfred, III, 218; IV, 187, 261
- Roman, André Bienvenu, elected Speaker, III, 197; elected governor, 214; his biography, 217; refers to

- nullification in South Carolina, 221; reëlected governor, 226; president Agricultural Society, 227; his good judgment in financial matters, 230; recommends appropriation for copy of documents in Paris, 231; his last message, 232; member convention of 1845, 233; votes against ordinance of secession but casts his lot with State, 259; Confederate peace commissioner, IV, 5
- Roman, Charles, III, 218; IV, 149
- Rosalie, Fort, I, 62, 63, 109, 110
- Roselius, Christian, III, 233; IV, 240
- Ross, Col., III, 94, 95, 117, 124, 136
- Ross, James, his address in the Senate, II, 252; his resolutions, 253
- Ross, Lieut., III, 124
- Rouen, Bussiére, IV, 260
- Rousseau, II, 77, 173
- Rouxel, Bishop, IV, 233, 253
- Ruggles, Gen. Daniel, IV, 27, 28

## S

- St. Ange de Bellerive, II, 306, 310
- St. Denis, arrives with Iberville, I, 145; his expedition to Mexico, founds Natchitoches, 61; tribute to him by Le Page du Pratz, 79; defeats the Natchez, 112
- St. Geme, Maj., III, 123, 138, 165, 173, 174
- St. Ildefonso, treaty of, II, 178; text of treaty, 329
- St. Lette, I, 169, 207
- St. Louis, I, 267; foundation, II, 308; description in 1804, 318
- St. Louis, Bay, I, 42
- St. Louis, Fort, of the Illinois, I, 26, 28; of Texas, 27, 28
- St. Martin, P. B., III, 80, 82
- St. Philip, Fort, British fail to pass it, III, 129; passed by Farragut, IV, 11
- Salcedo, Gov. Manuel de, II, 226, 228
- Salmon, I, 127, 129, 130, 131
- Sauvé, Pierre, II, 246; III, 17, 34, 36, 37, 49, 88
- Sauvole, Sieur de, accompanies Iberville up the Mississippi, I, 37; de-

- scends the Mississippi with Bienville, 40; appointed commandant or governor at Biloxi, 42; his death, 46
- Savary, Capt., III, 103, 117, 139, 174
- Scaife, W. B., I, 4
- Schools, the Ursulines, I, 103; Spanish, II, 16; in 1788, 117; condition of, III, 191-195; free public, established, 237; first superintendent of, 250; names of superintendents of, from 1877 to 1888, State Board of Education, IV, 218
- Sebastian, II, 143, 162
- Secession, ordinance, III, 258
- Seignelay, I, 26, 31
- Semmes, Thos. J., III, 261; IV, 56
- Senate, United States, committee, report about Durell's midnight order, IV, 124
- September Fourteenth, monument, names of citizens killed, IV, 154
- Sérigny, I, 47, 48, 69
- Seven Years' War, I, 137
- Sevier, Col. John, II, 142
- Shakespeare, Mayor Jos. A., IV, 212, 217
- Shea, Gilmory, I, 22
- Shellabarger S., his report to Congress about riot, 1866, IV, 87
- Shepley, Gen. George F., IV, 22, 38
- Sheridan, Gen. P. H., commander Fifth Military District, IV, 97; removes from office Gov. Wells, Mayor Monroe, and others, 101; transferred to Department of the Missouri, 103; sent South by Grant, 165; his telegrams in Jan., 1875, 173
- Sherman, John, one of the visiting statesmen in 1876, IV, 181
- Sherman, Gen. W. T., III, 237; IV, 34, 56
- Skipwith, Fulwar, III, 70, 120, 168
- Slaves, Black Code, I, 85; account of them by Francisco Boulogny, II, 35
- Slidell, John, III, 250; IV, 5, 23, 56
- Smith, Col. Marshall J., distinguishes himself at Port Hudson, IV, 35
- Smith, Gen. E. Kirby, assumes command Trans-Mississippi Department, IV, 32; orders Taylor to send troops to aid of Vicksburg, 34; arrives at Pleasant Hill, visits Taylor at Mansfield, 48; invites peace commissioners to remain at Shreveport, 61
- Smith, Gen. Persifer F., III, 245, 246
- Snyder, Robert H., IV, 231, 233
- Solis, II, 158, 160
- Soniat du Fossat, Charles T., IV, 246, 258
- Soto, Hernando de, leaves Spain, I, 5; reaches Bay of Espiritu Santo, 6; disaster at Mauvila, 8; discovers the Mississippi, 9; his death, 10
- Soulé, Pierre, orator for Democrats in 1840, III, 229; member convention 1845, 233; United States senator, 247; Mayor Monroe's adviser, IV, 14; arrested by Butler and imprisoned, 21
- Spain, War with, troops from Louisiana, IV, 237
- Sparks, W. H., III, 218, 224
- Spedden, Lieut., III, 102, 103
- Spencer, Capt., III, 108
- Spofford, H. M., IV, 191, 196
- Spotts, Lieut., III, 116, 123, 125, 137, 138
- Stirling, Capt., II, 306
- Stith, Mayor Gerard, III, 256
- Stoddard, Capt. Amos, receives Upper Louisiana from Col. de Lassus, II, 318; his biography, 320; his "Historical Sketches of Louisiana," 321
- Stubbs, W. C., III, 271; IV, 254
- Sugar-cane, introduced by Jesuits, I, 133; cultivated with success by Boré, II, 158, 328; different species, III, 328
- Sulpitians, feudal lords of Montreal, I, 14
- Sunday law, IV, 216
- Surgères, Chevalier de, I, 35, 42, 45
- Swartwout, III, 45, 48

## T

- Talleyrand, II, 259, 260, 261
- Talon, Intendant, I, 14, 15
- Taylor, Gen. Richard, appointed to command District of Louisiana, IV,

- 29; his campaign in the Tèche country, 33; his successful expedition against post at Berwick's Bay, closes the Mississippi to transports for three days, 36; withdraws beyond Berwick's Bay, 37; defeats Banks at Mansfield, 46; battle of Pleasant Hill, 47; goes to Shreveport, returns to Grand Ecure, 48; succeeds Gen. Polk in Department of East Louisiana, 50; surrendered to Gen. Canby, 62
- Taylor, Gen. Zachary, III, 245, 248
- Taylor, John, II, 237
- Theater, first troupe of comedians, II, 146
- Thibodaux, H. S., III, 36, 80, 200, 201
- Thomas, Gen. John, III, 122, 148
- Thomas, Gen. Philemon, captures fort of Baton Rouge, III, 66; presidential elector, 82; organizes militia companies in 1814, 95; 122, 166, 190
- Thornton, Col., III, 110, 112, 125, 128
- Tonty, Henri de, sails with La Salle from France, I, 18; at Fort Crève-cœur, 22; accompanies La Salle to mouth of Mississippi, 25; descends Mississippi to meet La Salle, tries to rescue colonists, 28; offers his services to Pontchartrain, 31; his letter to La Salle, 40; meets Iberville, 45; his death, 51
- Toulouse, Fort, I, 63
- Tousac, Chevalier de, III, 107, 151
- Tracy, Uriah, II, 273
- Tranchepain, Mother, I, 103
- Transfer, ceremonies of, of Louisiana from Spain to France, II, 237, 280; ceremonies of, to United States, 277, 284; procès-verbal of, 296; of Upper Louisiana, 318, 342
- Troubiand, Gen. de, ejects members of House on Jan. 4, 1875, IV, 169
- Trudeau, John B., schoolmaster in St. Louis, II, 315
- Trudeau, Zénon, lieutenant-governor of Upper Louisiana, II, 315
- Tulane, Paul, his biography, IV, 212
- Tulane University of Louisiana, established, names of principal benefactors, IV, 214
- Turgis, Father Isidore, IV, 68
- Tuyes, Jules, III, 21; IV, 142
- Twiggs, Gen. David E., IV, 9, 23
- ## U
- Ulloa, Antonio de, arrives, issues his orders through Aubry, I, 159; signs a paper at the Balize for transfer of province and hoists Spanish flag at the Balize, 161; expelled by Superior Council, 167; sails away, 168; his biography, 173; his account of the events of 1768, 206
- Unzaga, Luis de, installed as governor by O'Reilly, II, 6; his leniency, 10; defends the French friars and speaks favorably of the people of Louisiana, 15; protects honest debtors, 17; his departure, 19
- Ursulines, the, arrive, I, 103; letters of Sister Madeleine Hachard, 103-105; praised by Legislature, III, 167
- ## V
- Van Dorn, Gen., succeeds Lovell in command of forces east of the Mississippi, IV, 26
- Vaudreuil, Marquis de, arrives, issues ordinance about levees, I, 131; his police regulations, 132; expedition against the Chickasaws, appointed governor of Canada, 133
- Velle, de, I, 147
- Vente, curate de la, I, 48, 51
- Vergennes, de, I, 146
- Verges, de, I, 103, 139
- Victor, Gen., appointed captain-general of Louisiana, II, 179; his letters to Decrès, 181; his proclamation to the Louisianians, 183; his biography, 184
- Vidal, II, 172, 174
- Viel, Étienne, distinguished Latin scholar, IV, 263
- Vignaud, Henry, first secretary United States embassy at Paris, his historical works, IV, 263



- Villéré, Jacques, member City Council in 1803, II, 246; member Legislative Council, III, 36; member convention 1811, 80; agrees to be responsible for \$10,000 for defense of State in 1814, 87; favors employment of Baratarians in defense of State, 94; commands Jackson's second line of defense, 122; mentioned by Jackson, 140; his letter to Gen. Lambert, 146; praised by Legislature, 164; mentioned by Marigny, 175; is elected governor, 181; his biography, 184; praises Gov. Claiborne, 187; his messages to the Legislature, 187-189; his opinion about yellow fever, announces State debt entirely extinguished, 189; receives thanks from Legislature, 190; candidate for governor, 200
- Villéré, Joseph, one of the chiefs of the Revolution of 1768, I, 175; his death, 215; his eulogy by Champigny, 216
- Villéré, Maj. Gabriel, III, 109, 110, 118, 164, 174, 268
- Villiers, Louis Coulon de, makes Washington capitulate at Fort Necessity, I, 134
- Villiers, Nyon de, commandant Fort Chartres, I, 139, 151; II, 308, 309, 310
- Vincent, William G., president Anti-Lottery League, IV, 223
- Voorhies, Albert, elected lieutenant-governor, IV, 72; receives telegram from President Johnson about Freedmen's Bureau, 76; his letter about Convention of 1864, 79; opposed to conventionists in 1866, sends telegram to President Johnson, 82; receives telegram from the President, calls on Gen. Baird, 83; writes to Gen. Baird on July 30, 1866, 85; his letter to President Johnson, 89; receives letters from governors of Southern States about testing military act in courts, 97-100; removed from office by Gen. Mower and reinstated by order of Grant, 103
- Walker, Alexander, III, 110, 149
- Walker, Gen., IV, 34, 37, 45
- Walker, Joseph, president convention 1845, III, 233; elected governor, 250; his last message, praises Gayarré as a historian, 252
- Walker, Norman, III, 271; IV, 232
- Walton, J. B., III, 251; IV, 136
- Warmoth, H. C., his election to Congress claimed by the Radical Republicans, IV, 55; elected governor, 107; his inaugural address, 109; vetoes social-equality bill, appoints colored men on board police commissioners, 110; calls for United States troops, 112; refers in message to acts of intimidation and to State debt, 113; speaks of extravagance of Legislature, 116; has Pinchback elected president of Senate, 117; his quarrel with Carter and Packard, 118; organizes Liberal Republican party, 120; speaks bitterly of Grant, makes fusion with Reform party, 121; removes Dibble and Heron, and appoints members Returning-Board, 123; appoints a new Returning-Board, 124; suspended from office by Legislature, 127; issues proclamation to people, 130
- Washington, I, 134; II, 143
- Watkins, John, II, 246; III, 17, 24, 25, 36, 37, 51, 80
- Watson, John F., his Diary giving customs and manners in New Orleans in 1804 and 1805, III, 27-32
- Webb, the ram, IV, 31
- Weitzel, Gen. Godfrey, IV, 31, 34
- Wells, J. Madison, lieutenant-governor, IV, 55; elected governor, 72; vetoes bill for election of municipal officers in 1866, 74; sides with conventionists in July, 1866, 82; acts with timidity, 87; recommends ratification of Fourteenth Amendment, 95; declares Reconstruction Act in force, 96; is removed from office by



- Gen. Sheridan, 101; president Returning-Board in 1874, 164
- Wells, William Hill, II, 272
- Western Company, I, 64; its charter, 65
- Wheeler Compromise, IV, 177
- White Camelia, Knights of, IV, 111, 112
- White, Edward D., elected governor, his biography, III, 224
- White, Edward D., justice Supreme Court of Louisiana, IV, 187; United States senator, 217; speaks at Anti-Lottery Convention, 223; speaks at meeting to commemorate 400th anniversary of discovery of America, 228; justice Supreme Court of United States, 265
- White League, organized, platform Crescent City White League, names of officers, IV, 135; battle on Sept. 14, 1874, 148; reorganized, 180; capture Supreme Court building, 186
- White, Maunsel, III, 65, 174
- White, Samuel, II, 253, 271, 272
- Wickliffe, John C., IV, 226
- Wickliffe, Robert C., elected governor, his biography, III, 255; refers to raid of John Brown, 256
- Wilkinson, Gen. James, urges natural right of Western people to navigation of Mississippi, II, 129; arrives in New Orleans, 131; his letter to Mirò and Navarro, 133; his letters to Gardoqui and Mirò, 142; sends Capt. Guion to take command at Natchez, 169; builds Fort Adams, 172; appointed commissioner to receive Louisiana from Laussat, 276; establishes his headquarters on left bank of Sabine River, III, 42; receives a visit from secret emissary of Aaron Burr, 44; gives evasive answer, denounces Burr's plot to President, 45; his arbitrary measures in New Orleans, 48; sends troops to Terre-aux-Bœufs, 61; is called to seat of government, 62; captures Fort Charlotte, builds Fort Bowyer, is called to Canada, 84
- Wilkinson, Lieut., III, 52
- Wilkinson, Maj., III, 126
- Williams, Attorney-Gen. George H., IV, 126, 130, 131
- Williams, Gen. Thos., commands Federal forces at battle of Baton Rouge, is killed, IV, 28
- Williams, Gov., III, 36
- Willing, Capt., II, 57, 58
- Wilson, Lieut., III, 40
- Wiltz, Louis A., elected mayor of New Orleans, IV, 133; takes chair as Speaker on Jan. 4, 1875, 165; requests Gen. de Trobriand to speak to lobby in the House, 167; protests against invasion of hall by United States soldiers, 170; resigns claims to speakership, 179; elected lieutenant-governor, 182; president Constitutional Convention of 1879, 198; elected governor, dies, 209
- Winsor, Justin, I, 257
- Workman, III, 23, 48
- Worrall, Lieut., II, 317
- Wright, Robert, II, 273

Y

- York, Edward, III, 226
- You, Dominique, III, 120, 123, 126, 137, 170, 174
- Young, George W., IV, 223, 231, 232

Z

- Zacharie, James S., IV, 246, 248, 253, 258











